



## Report of the Head of Democratic Services

Cabinet - 15 November 2018

### Councillors' ICT Allowances - May 2017 & Beyond

<b>Purpose:</b>	To reformat the recently amended and adopted Councillors' ICT Allowances - May 2017 & Beyond Policy in order to make it suitable for publishing online.
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The Councillors' ICT Allowances - May 2017 & Beyond Policy as outlined in Appendix A of the report be adopted in its new format.
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#### 1. Introduction

- 1.1 Following recommendations from the Democratic Services Committee, the "Councillors' ICT Allowances - May 2017 & Beyond" Policy was amended and adopted by Cabinet on 20 September 2018.
- 1.2 The Policy, however; was interwoven into the report presented to Cabinet. This has made it difficult to format it into a user friendly document. This report therefore seeks to agree the Policy in its new format as outlined in **Appendix A** of this report.

#### 2. Equality and Engagement Implications

- 2.1 There are no equality or engagement implications associated with this report.

### **3. Financial Implications**

3.1 There are no specific financial implications associated with this report.

### **4. Legal Implications**

4.1 There are no specific legal implications associated with this report.

**Background Papers:** None.

### **Appendices:**

Appendix A Councillors' ICT Allowances - May 2017 & Beyond Policy.



## **Councillors' ICT Allowances - May 2017 & Beyond Policy**

### **1. Introduction**

- 1.1 Data (Broadband), ICT and Voice Communications equipment and systems are essential to enable Councillors and Co-opted Members to carry out their responsibilities effectively and securely.
- 1.2 This Policy is regularly reviewed by the Head of Democratic Services and Democratic Services Committee in order to allow for new technologies to be made available and to align Councillors and Co-opted Members to the Digital strategy of the Authority. Councillors are part of the Authority's rollout of a Digital culture ambition aiming to make Swansea a lead Authority in the UK.
- 1.3 This Policy links with the determinations of the Independent Remuneration Panel for Wales (IRPW) by which the Authority is bound. Details of the latest IRPW Annual Report and other information may be viewed on their website. <http://gov.wales/irpwsb/home/publication/?lang=en>
- 1.4 In addition to the Councillors' ICT Allowances, the Authority also provides Office 365 for Councillors to use and the Authority's main buildings are covered by WiFi. Each Political Group Room is fitted out with PC's and Telephones.

### **2. Supporting the Work of Local Authority Members - IRPW Determinations**

- 2.1 The Independent Remuneration Panel for Wales set out determinations each year in their Annual Report. A number of these determinations relate to how an Authority should support the work of Councillors and Co-opted Members. The latest Annual Report is available at

<https://gov.wales/irpwsb/home/publication-reports/?lang=en>

- 2.2 The determinations set out rules to ensure that the Authority provides as much support as is necessary to enable Councillors / Co-opted Members to fulfil their duties effectively by provided them with adequate telephone and email facilities and electronic access to appropriate information. Deductions must not be made from members' salaries by the respective Authority as a contribution towards cost of support.
- 2.3 These determinations apply to Councillors and the Statutory Co-opted Members. The IRPW have also indicated that the Community / Town Council Representative on the Standards Committee is to be treated as a Co-opted Member for this purpose.
- 2.4 The Authority has 10 Statutory Co-opted Members and 1 Community / Town Council Representative:
- Chair of Audit Committee
  - Chair of Standards Committee
  - Ordinary Members of the Standards Committee x 4;
  - Ordinary Members of Scrutiny Programme Committee x 4;
  - Community / Town Councillor Representative of Standards Committee.

### **3. Councillors' & Co-opted Members ICT Allowances**

- 3.1 There are 3 types of ICT Allowances available to Councillors / Co-opted Members. They are defined in their relevant sections within this Policy:
- a) Councillors / Co-opted Members' Data & Telephone Allowance;
  - b) Councillors' Mobile Phone Allowance;
  - c) Councillors / Co-opted Members' ICT Allowance.
- 3.2 As Statutory Co-opted Members do not have the same time commitment of a Councillor, the Councillors / Co-opted Members' Data & Telephone Allowance and the Councillors / Co-opted Members' ICT Allowance element for Co-opted Members has been set at 20% of that of a Councillor.

### **4. Councillors / Co-opted Members' Data & Telephone Allowance**

- 4.1 The digital era has led to people including Councillors / Co-opted Members working in different ways to address their various connectivity requirements. Some people choose to have a broadband connection at home, others choose to have access to the internet via 3G or 4G on their mobile device and others utilise a data dongle.
- 4.2 The Authority pays a monthly Data & Telephone Allowance to all Councillors / Co-opted Members providing:
- a) They produce proof on an annual basis of their Data and Telephone connection at their home;

- b) They are not in receipt of a payment for Data and Telephone at their home from a third party due to their employment or via an election;
- c) They allow for their telephone number to be published on the Authority's website and promoted as necessary save in exceptional circumstances.

4.3 As Statutory Co-opted Members do not have the same time commitment of a Councillor, the ICT Allowance and Data & Telephone Allowance for a Co-opted Member be set at 20% of that of a Councillor.

4.4 The Councillors / Co-opted Members' Data & Telephone Allowance is currently set at £25 per Councillor / £5 per Co-opted Member per month. This is split as follows:

	<b>Data</b>	<b>Telephone</b>
<b>Councillor</b>	£15	£10
<b>Co-opted Member</b>	£3	£2

4.5 The **Telephone element** of the Councillors / Co-opted Members' Data & Telephone Allowance, shall only be paid once per Councillor / Co-opted Member household (i.e. if there are 2 or more Councillors / Co-opted Members living at the address then only one person shall receive the Telephone element of the Allowance).

4.6 The **Data element** of the Councillors / Co-opted Member's Data & Telephone Allowance shall be paid for either one broadband or one mobile data contract per Councillor / Co-opted Member. This will be limited to one static broadband contract per household; however more than one Mobile Data Contract per household is permissible.

4.7 Under HM Revenue and Customs rules, the Councillors / Co-opted Members' Data & Telephone Allowance shall be subject to Tax and National Insurance deductions.

4.8 Should a Councillor / Co-opted Member cease to remain a Councillor / Co-opted Member the Councillors / Co-opted Members' Data & Telephone Allowance shall cease and any Data / Telephone contract taken out by the Councillor / Co-opted Member shall remain their sole responsibility as will any repayments. Please also refer to the section relating to **“What happens if a Councillor / Co-opted Member ceases to hold Office?”**

## **5. Councillors' Mobile Phone Allowance**

5.1 The Authority currently pays a monthly Councillors' Mobile Phone Allowance to qualifying Councillors in order to supplement their mobile phone bills due their increased use for Council business providing:

- a) Councillors produce proof on an annual basis of their Mobile Phone contract.
  - b) Councillors in receipt of the Councillors' Mobile Phone Allowance must allow for their mobile telephone number to be published on the Authority's website and promoted as necessary save in exceptional circumstances.
- 5.2 Under HM Revenue and Customs rules, the Councillors' Mobile Phone Allowance shall be subject to Tax and National Insurance deductions.
- 5.3 There are 12 Qualifying Councillors: Cabinet Members, Presiding Member and the Leader of the Largest Opposition Group. The Councillors' Mobile Phone Allowance is currently set at £25 per Qualifying Councillor per month.
- 5.4 The Councillors' Mobile Phone Allowance is payable from the date when the Councillor is appointed by Council / Leader of the Council to a Qualifying Councillor position.
- 5.5 Should a Councillor cease to remain a Qualifying Councillor (as defined above) the Councillors' Mobile Phone Allowance shall cease and any Mobile Phone contract taken out by the Councillor shall remain their sole responsibility as will any repayments.
- 5.6 Should a Councillor cease to remain a Councillor the Councillors' Mobile Phone Allowance shall cease and any Mobile Phone contract taken out by the Councillor shall remain their sole responsibility as will any repayments. Please also refer to the section relating to "**What happens if a Councillor / Co-opted Member ceases to hold Office?**"

## **6. Councillors / Co-opted Members' ICT Allowance**

- 6.1 The Councillors / Co-opted Members' ICT Allowance allows Councillors / Co-opted Members to purchase their own ICT equipment such as desktop or laptop PC, Tablet Computer, Printer and Software, ICT Peripherals such as storage, backup facilities, printer paper and ink and ICT Support.
- 6.2 The Authority recommends that an element of this allowance be used to purchase an ICT support service. **ICT Support is defined as:** Either an ad-hoc or fixed contract with a third party (Not the Authority) aimed at providing ICT support should any element of your ICT equipment fail.
- 6.3 The Authority will only provide ICT Support for issues directly linked to the Authorities systems, such as Password Reset, Access to Office 365 and Oracle. The Authority will also provide general guidelines should the issue relate to an issue with the Councillors device, in order to aid them when having to contact an external ICT Support supplier.

- 6.4 The Councillors / Co-opted Members' ICT Allowance system is effectively a "Bring Your Own Device" (BYOD) arrangement. Councillors / Co-opted Members are able to purchase whichever device they find beneficial for their work; however they should be mindful that it is highly recommended that their device is compatible with **Microsoft Office**.
- 6.5 Should a device not be compatible with Microsoft Office, Councillors / Co-opted Members may not be able to open documents sent to them by the Authority and in turn the Authority may not be able to open documents which the Councillor / Co-Opted Member sends them.
- 6.6 The Councillors / Co-opted Members' ICT Allowance is paid to all Councillors / Co-opted Members on request providing:
- a) They produce a receipt proving their purchase of relevant ICT items;
  - b) They submit their claim on the Councillors' and Co-opted Members ICT Allowance Claim Form which is outlined at **Appendix 1** and / or by providing the annual bill as proof.
- 6.7 Under HM Revenue and Customs rules, the Councillors' and Co-opted Members ICT Allowance shall be subject to Tax and National Insurance deductions.
- 6.8 The following table sets out the total amounts that can be claimed under the Councillors / Co-opted Members' ICT Allowance:

<b>Councillors / Co-opted Members' ICT Allowance Amounts</b>	<b>Councillor</b>	<b>Co-opted Member</b>
In the Year immediately following the election / appointment of the Councillor / Co-opted Member	£1,008	£201.60
Each Year Thereafter ( <b>Councillor</b> may take this in advance from Year 2, i.e. £800 (£200 x 4 year Remaining Term of Office). The Authority will not pay any additional monies until following next Local Government Election (Currently scheduled for May 2022)	£200 p.a. (£800) over the term.	N/A
Each Year Thereafter ( <b>Co-opted Member</b> may take this in advance from Year 2, i.e. £240 or £160 (£40 x 6 year / £40 x 4 year Remaining Term of Office).	N/A	£40 p.a. (£240 or £160) over the term.

**Note:**

- 1) The **Councillor element** of the Councillors / Co-opted Members' ICT Allowance over a 5 year period is £1,808 in total. This amount may be spent at any time during the 5 year term provided the claims are made using the Councillors / Co-opted Members ICT Allowance Claim Form and with relevant receipts.

- 2) **Councillors Only.** Any spend exceeding £200 in the final year of the Term of Office must be approved in advance by the Head of Democratic Services in conjunction with the Chief Transformation Officer. They may look at temporary solutions such as providing Authority owned ICT devices.
- 3) The **Co-opted Members element** of the Councillors / Co-opted Members' ICT Allowance over a 4 and 6 year period is £361.60 and £441.60 in total respectively. This amount may be spent at any time during the 4-6 year term provided the claims are made using the Councillors / Co-opted Members ICT Allowance Claim Form and with relevant receipts;
- 4) **Co-opted Members only.** Any spend exceeding £40 in the final year of the Term of Office must be approved in advance by the Head of Democratic Services in conjunction with the Chief Transformation Officer. They may look at temporary solutions such as providing Authority owned ICT devices.

## **7. What happens if a Councillor / Co-opted Member ceases to hold Office?**

- 7.1 If a Councillor / Co-opted Member ceases to hold Office for whatever reason during their Term of Office, the Authority will immediately cease payment of any Allowance that they had previously been entitled to.
- 7.2 Any contract taken out by the Councillor / Co-opted Member during their period of Office will be their sole responsibility. The Authority will not make any payments towards the remaining period of the contract(s).
- 7.3 Any ICT equipment and ICT support purchased during a Councillors / Co-opted Members Term of Office shall automatically become their property. The Authority shall have no legal claim to it.
- 7.4 Should the Councillor / Co-opted Member cease to hold Office within the first 12 months of being elected / appointed they must repay any ICT Allowance which they received on a complete month pro rata basis. This paragraph is waived should a Councillor / Co-opted Member die during their Term of Office.

## **8. Data Protection Act / Security Advice (Anti-Virus, Anti-Spam, Firewall and Encryption)**

- 8.1 Councillors are likely to handle personal information about individuals; as such they have a number of legal obligations to protect that information under the Data Protection Act 1998. Should a Councillor fail to comply with this Act then they would be liable to a fine of up to £5,000. The Authority pays the fee for each Councillor to be a registered Data Controller.

8.2 The Authority strongly advises that Councillors / Co-Opted Members install Anti-Virus, Anti-Spam and Encryption software and use password protection on any PC, Laptop, Tablet, Mobile Phone etc. used for Councillor Business. The use of a personal Firewall should also be considered. For advice in this area, Councillors should take appropriate security advice from their external ICT Support provider.

## **9. Claiming of Allowances and Providing Receipts / Proof of Purchase**

9.1 **Claiming the Councillors / Co-opted Members' Data & Telephone Allowance.** Councillors / Co-opted Members must produce proof of Data and Telephone connection at their home on an annual basis in order to receive this monthly allowance. Proof shall be required during May / June each year and should be given to the Cabinet Office / Democratic Services Team as appropriate.

9.2 **Claiming the Councillors' Mobile Phone Allowance.** Councillors / Co-Opted Members must produce proof of their Mobile Phone Contract on an annual basis in order to receive this monthly allowance. Proof shall be required during May / June each year and should be given to the Cabinet Office / Democratic Services Team as appropriate.

9.3 Failure to provide proof of a Data / Telephone / Mobile Phone contract during May / June each year will result in payments being stopped until proof is provided. The Authority shall not backdate any payments beyond 3 months.

9.4 **Claiming the Councillors / Co-opted Members' ICT Allowance.** Councillors / Co-opted Members should purchase the ICT equipment they require and complete the Councillors / Co-opted Members' ICT Allowance Claim Form as shown in **Appendix 1**. The Claim Form should be returned to the Cabinet Office / Democratic Services Team as appropriate.

## **10. Councillors Self Service**

10.1 The objectives of the "Sustainable Swansea - Fit for the Future" programme is:

- To transform services;
- To deliver better outcomes for residents;
- To achieve financial sustainability.

10.2 In order to achieve these objectives, "Oracle", the Authority's integrated HR, payroll, finance, procurement stores and job costing system must be used to enable Councillor Self Service which will allow Councillors to view, amend and apply for things via Oracle including:

- Payslips, P60's and P11d's;
- Changes to personal details (address, bank etc.);
- Car Parking Permits;
- Mileage and Expenses Claims.

- 10.3 Oracle Self Service, will reduce printing costs, save administration time and costs and allow Councillors to update their information in real time.
- 10.4 Councillors receive a paper payslip and are required to use the Self Service on Oracle. The Oracle Self Service system is compulsory for Councillors as of the Annual Meeting of Council in May 2017.
- 10.5 User Guides are available on the Authority's StaffNet site <http://www.swansea.gov.uk/staffnet/mileageandexpenses>
- 10.6 Modern.gov is the Authority's software solution for meeting management including placing agendas, reports and minutes online. It is an integrated package which aims to simplify websites for Councillors, Officers and the public.

**Appendices:**

**Appendix 1** Councillors / Co-opted Members ICT Allowance Claim Form.

## Appendix 1

### Councillors / Co-opted Members ICT Allowances Claim Form

<b>Name:</b>	
<b>Address:</b>	
<b>Post Code:</b>	

Please provide details of ICT items or support purchased. In accordance with the Independent Remuneration Panel for Wales (IRPW) Councillors' / Co-opted Members ICT Allowance payments will only be made to Councillors following the completion of this form **together with the relevant receipt(s)**.

Date Purchased	Item / Service Purchased	Cost
<b>Total Amount Claimed</b>		£

**Note:**

- i) I have incurred these costs to enable me to fulfil my duties as a Councillor / Co-opted Member in accordance with the IRPW.*
- ii) Councillors' ICT Allowance. Year of Election is £1,008. Remaining Term of Office is £200 p.a. x 4 years (£800). The sum of £800 may be taken as a lump sum from Year 2 providing a receipt is provided. The Authority will not pay any additional monies until the following Local Government Election.*
- iii) Co-opted Members' ICT Allowance. Year of Appointment is £201.60. Remaining Term of Office is £40 p.a. The per annum sum may be taken as a lump sum from Year 2 providing a receipt is provided. The Authority will not pay any additional monies until the following Local Government Election.*

<b>Councillor Signature:</b>		<b>Date:</b>	
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**For Office Use**

Checked By:		Payroll No.:		Month Paid:	
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**Return to: Head of Democratic Services.**