

INTERIM REPORT OF THE INDEPENDENT REMUNERATION PANEL

1 INTRODUCTION

- 1.1 Under the Local Authorities (Members' Allowances)(England) Regulations 2003, the County Council is required to establish and maintain an Independent Remuneration Panel (IRP) to make recommendations to the Council about the allowances to be paid under its Scheme of Allowances. Whilst it is ultimately for the County Council to decide its Scheme, under the Regulations it must have regard to the advice of the Panel before making any changes.
- 1.2 Surrey's IRP consists of three members, Katherine Atkinson, Janet Housden and Cathy Rollinson, who between them have considerable experience in the areas of public and private sector management, human resources, consultancy services, education and charity work. They all live in Surrey, have no connections with Surrey County Council and are independent of any political party.
- 1.3 The IRP is currently undertaking a detailed review of the County Council's existing Members' Allowances Scheme, which was agreed by the Council in July 2010, and will submit its full report and recommendations to the Council next year. In advance of that, the IRP has been asked to consider whether an allowance should be paid to the Independent Person, a new role created under the Localism Act 2011 to deal with complaints about the conduct of a County Councillor.

2 INDEPENDENT PERSON

- 2.1 The Independent Person is a statutory role to provide advice when the Council receives an allegation that one of its Members has breached the Council's Code of Conduct. If the Council decides to investigate the allegation, it must consult the independent Person and take their views into account before making a decision on that allegation. The Council may also seek their views about any aspect of the allegation whether or not it decides to investigate, and the Member of the Council who is the subject of the allegation may also seek the views of the independent person at any time.
- 2.2 Prior to this statutory role being established, complaints against Members were investigated by the Council's Standards Committee. This Committee included three independent members, one of whom chaired the meetings. The Committee typically met six or seven times per year, with additional sub-committee meetings held in the event of an alleged breach of the Code of Conduct. Under the existing Scheme of Allowances, the Chairman was entitled to a special responsibility Allowance of £1,500pa and the other two independent representatives received an allowance of £500pa. Additional hourly payments were made for sub-committee sittings.

- 2.3 As part of its consideration of a possible allowance for the new Independent Person, the IRP reviewed the role description and met both the Head of Legal & Democratic Services and the Democratic Services Lead Manager at the end of September 2012 to discuss the role and responsibilities. It was apparent that the position was significantly different from the previous Standards Committee roles in that the Code of Conduct is now locally agreed and voluntary, and the role of the Independent Person is advisory only – the Member Conduct Panel must take their views into account in the event of a complaint allegation, but the responsibility for the decision rests with the Panel. In addition, there is no requirement for the Independent Person to attend meetings, so the time commitment for the role is likely to be significantly reduced compared to independent representatives on the former Standards Committee.
- 2.4 The IRP was mindful of the fact that the Guidance on the 2003 Regulations states that Special Responsibility Allowances (SRA) should only be paid where there is *significant* additional responsibility. Whilst recognising that the person appointed would need to bring a strong set of personal qualities to the role, the IRP did not feel that either the responsibility or the likely time commitment would be significant enough to warrant payment of an SRA. The IRP also acknowledged that there was a ‘voluntary public service’ element to the role which would be attractive to the applicants.
- 2.5 Taking these factors into account, the IRP felt that it would be appropriate pay travel expenses only to the Independent Person, but that this position should be reviewed after a year once the volume of the work involved is known.

RECOMMENDATION (to County Council):

That the Independent Person be paid travel expenses only in relation to their work with the Member Conduct Panel, but that this position be reviewed after one year once the workload and responsibility of the role has been established.

Katherine Atkinson
Janet Housden
Cathy Rollinson

22 November 2012