

Cheltenham Borough Council

A report of the Independent Remuneration Panel

July 2012

1. Summary

- 1.1 When the panel last met on 27 February 2012 we received a discussion paper which updated us on the various issues relating to the Members Allowances Scheme. At the time we noted the imminent changes to the Standards regime and requested a further report once the arrangements were finalised.
- 1.2 We received a discussion paper from the Democratic Services Manager on 9 July 2012 setting out the arrangements. We considered the issues were well set out in the report and there was no need to hold a meeting. We concluded our recommendations through electronic communication and these are set out in this report for consideration by Council.

2. New Standards Regime

- 2.1 **Standards Committee Chair and Independent Members of the former Standards Committee**
The local filter arrangements, whereby local standards committees deal with complaints against their members or parish councillors, came into force in May 2007.
- 2.2 The Standards Board for England ceased to exist from March 2012 and local authorities were issued with the new regulations on 8 June 2012. Following this Council adopted a new local code of conduct on 25 June 2012 and opted to continue to have a Standards Committee to deal with local complaints against parish councillors or borough councillors. The report is available on the council's website. [Report to Council on New Code of Conduct regime](#). Council approved a recommendation requesting that the IRP be requested to review the Members Scheme of Allowances consequent upon the changes to the Standards Committee.
- 2.3 The new legislation makes it a criminal offence to deliberately withhold or misrepresent certain disclosable interests. This could mean that serious misconduct that previously led to censure by a local authority standards committee and having to make an apology could instead possibly result in a criminal conviction.
- 2.4 The new Standards Committee for CBC is made up of a politically balanced group of seven elected members and two Independent Persons who will be in attendance to offer their advice to the committee but will not have a vote.
- 2.5 Following a report to Council on 14 May 2012 [Report to Council on Independent Persons](#) it was agreed that the Independent Person should receive an allowance of £300 per annum plus travelling expenses. In acting as the Independent Person they are not acting as an elected or co-optee Member of the Borough Council and so this allowance does not form part of the Members Allowance scheme. Therefore an additional allowance for attendance at the Standards Committee is not appropriate. Two Independent Persons were appointed by Council following a recruitment and interview process.

3. Assessment of the SRA for the chair of the new Standards Committee

3.1 Allowances relating to the former Standards Committee

The SRAs set for the chair of the committee and for the independent members were based on their attendance at 4 meetings of the Standard Committee and attendance at an estimated 8 subcommittees per annum.

- 3.2** There were 3 elected members on the former Standards Committee and 5 independent members. The chair of the Standards Committee received an SRA of £907 p.a and each of the independent members (including the chair) £302 p.a. There were 3 places for 3 parish council representatives and they did not receive an SRA. The cost of investigating any complaints against parish councils have to be borne by the borough council and therefore it was considered appropriate that the parish councillors provided their service on a voluntary basis.
- 3.3** In practice the number of meetings has been considerably less and only 3 members of the committee are involved in any particular sub-committee.

YEAR	Standards Committee meetings	Initial Assessments	Hearing	Total
2010	4	1	2	6
2011	3	1	1	5
2012	0	1	0	1

- 3.4** The previous SRA for the chair of the Standards Committee was determined on the basis of **12 meetings per year**, a **MEDIUM** level of experience and knowledge and a **HIGH** level of responsibility and risk. Using the current basis of calculations, the SRA came out at **£907 per annum** and this was our recommendation.
- 3.5** Under the new regime, the Monitoring Officer will be responsible for considering the initial complaint in consultation with the Independent Person(s). This replaces the convening of an initial assessment sub-committee which is required under the current system to meet and decide whether the complaint warrants further investigation. There will only be a Hearing sub-committee if the Monitoring Officer advises that that the complaint warrants further investigation. This should reduce the number of trivial complaints which come before the committee. The Chair of the former Standards Committee also attended the annual national conferences but this will no longer take place as the Standards Board for England has been abolished.
- 3.6** The committee is no longer a statutory committee and initial determination is by Monitoring Officer in consultation with Independent person. We feel both these factors reduce the level of responsibility and risk for the chair. We acknowledge there is a risk of reputational damage to the council and members if complaints are not handled appropriately and sensitively by the committee but we feel this is **MEDIUM**.
- 3.7** Thus the new SRA would be calculated on the basis of **3-4 committee meetings per year** with a **MEDIUM** level of experience and knowledge given the high degree of support from the Monitoring Officer. We would assess the level of responsibility and risk as **MEDIUM**.

- 3.8** Using the current basis of calculations this comes up with an allowance for the chair of the new Standards Committee **as £302 per annum.**

Recommendation

That the chair of the new Standards Committee should receive an SRA of £302 per annum

4. Summary

- 4.1** As there were no other matters that the panel were asked to consider, we advise that all other parts of the Members Allowance Scheme remain unchanged and we ask Council to consider the recommendation set out in this report.

Panel Members:

Mr Paul Johnstone (chairman)	Director of Operations, RR Donnelley Global Document Solutions Panel Previous Member for Tewkesbury BC IRP
Mr Quentin Tallon (vice-chair)	Cheltenham TUC and Panel Member for Gloucestershire CC IRP
Mrs Patricia Dundas	Gloucestershire Hospitals
Mrs Joyce Williams	Retired Public Servant