

Wolverhampton City Council

OPEN DECISION ITEM

Committee/ Panel	STANDARDS COMMITTEE	Date: 19 November 2009
Originating Service Group(s)	CUSTOMER AND SHARED SERVICES	
Contact Officer(s)/	S KEMBREY	
Telephone Number(s)	4910	
Title/Subject Matter	<u>ESTABLISHMENT OF INDEPENDENT REMUNERATION PANEL</u>	

1.0 **Recommendation**

- 1.1 That the Standards Committee approve the contents of the report
- 1.2 That the Monitoring Officer in conjunction with the Chair of the Standards Committee takes the steps outlined in the report to establish an Independent Remuneration Panel to make recommendations on the level of basic and special responsibility allowances for Members of the Council.

CHIEF LEGAL OFFICER'S REPORT

1. Background

- 1.1 Within the Local Authorities (Members' Allowances) (England) Regulations 2003 there is a requirement for Council's to establish and Maintain an independent remuneration panel to make recommendations on the level of basic and special responsibility allowances. Up until now, Wolverhampton Council has been part of a Black Country Consortium, whereby there was a panel established to look at members remuneration on behalf of the Black Country authorities. This panel no longer appears to be in operation and the various authorities who were once involved with it have now made their own arrangements. This leaves Wolverhampton in a situation where it also must put in place a mechanism for Members Allowances. It is suggested that the Council advertise for panel members in accordance with the terms set out in Appendix 1 to this report. This will mean that panel membership will comprise in total of 7 members being a mix of 3 invited participants representing particular stakeholder groups e.g. senior citizens and the business community and 4 from the Wolverhampton community. It is proposed to place an advertisement in the Express & Star to this effect, inviting applications in accordance with the above criteria and to arrange subsequent interviews either by the Standards Committee itself or a sub group of Standards Committee members.
- 1.2 The appendices to this report show at Appendix 1: the Local Authorities (Members' Allowances) (England) Regulations 2003 draft advertisement, Appendix 2: background information to be sent to prospective applicants and Appendix 3 & 4: application forms for citizen and Council appointees.
- 1.3 It is proposed that advertisements go out in December and that interviews take place in January and February 2010.

2. Legal Implications

- 2.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 continue the requirement under the 2001 Regulations that Councils have to establish and maintain an Independent Remuneration Panel to make recommendations on the level of basic and special responsibility allowances and associated matters.

3. Financial Implications

- 3.1 This is a voluntary panel and as such there will be no financial implications except for expenses in accordance with travel & subsistence requirements as set out in the constitution, these will be met from existing budgets.

4. Equalities Implications

- 4.1 Recruitment for the Independent Remuneration Panel will be done on the same basis as recruitment for employment for the Council and will comply with equality legislation.

We are looking for **INDEPENDENT MEMBERS** to serve on the:

STANDARDS COMMITTEE which is responsible for promoting and maintaining high standards of conduct by elected members of the City Council and for overseeing the Council's Code of Conduct. The Committee also considers reports from the Standards Board for England on potential breaches of the Code and hold a local hearing to consider the results of investigations and whether a sanction should be imposed on the Councillor concerned.

Meetings are held as required.

INDEPENDENT REMUNERATION PANEL which keeps under review the Councillors' Allowances Scheme operated in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003. The Regulations require that Councils must have regard to the recommendations made to them by an Independent Panel before making or amending its Allowance Scheme.

The City Council's Panel will commence its annual review of allowancesduring September 2005 and is likely to meet abouttimes during the review period.

We would be particularly interested in hearing from those of you who have experience of chairing meetings, have a good understanding of matters of probity and ethics and ability to analyse and discuss information effectively.

For further information and an application form, please contact by
Closing Date

THE INDEPENDENT REMUNERATION PANEL

BACKGROUND

The Local Authorities (Members' Allowances) (England) Regulations 2003 continue the requirement under the 2001 Regulations that Councils have to establish and maintain an Independent Remuneration Panel to make recommendations on the level of basic and special responsibility allowances and associated matters.

The City Council formally appointed a Panel at its meeting.

COMPOSITION OF PANEL

The at its meeting on agreed that a Panel of 7 Members should be set up. The Panel is a mixture of 3 invited participants representing particular stakeholders [business, senior citizens etc] and 4 selected from amongst the citizens of Birmingham who expressed an interest in serving on the Panel.

TERMS OF OFFICE

To assist with the continuity of the Panel's work, appointments were made for a term of 3 years. The current panel comprises

Chairman of the Panel
Citizens Representative

Council Appointees

Trade Union Representative, Transport and General Workers Union

+

+

Citizen Representatives

+

+

+

QUALIFICATION TO SERVE ON THE PANEL

Members of the Panel must

- ◆ in the case of an invited participant on the Panel, live or work in Wolverhampton
- ◆ in the case of a citizen representative, be a resident of the City on the Electoral Register
- ◆ be available to attend and contribute to meetings
- ◆ be committed to undertaking the background work as preparation for meetings

Persons will be disqualified from serving on the Panel if they

- ◆ are an elected Councillor of any local authority
- ◆ are employed or appointed by the City Council
- ◆ are a senior employee [in a politically restricted post] of another local authority
- ◆ are the holder of any position within a political party at local, regional or national level
- ◆ are an undischarged bankrupt
- ◆ have been convicted in the last 5 years of an offence with a sentence of imprisonment [whether suspended or not] for a period of three months without the option of a fine

REMOVAL FROM THE PANEL

The Council will have the right to remove particular members of the Panel before their term of office expires but only in special circumstances e.g.

- ◆ persistent non-attendance
- ◆ serious breach of confidentiality
- ◆ becoming disqualified for any of the reasons above
- ◆ conduct that brings the Panel into disrepute and/or prejudices its impartiality or its effective operation

MEETINGS

The frequency and timing of meetings will be a matter for the Independent Panel to decide.

TERMS OF REFERENCE

The City Council agreed at its meeting on the following new terms of reference for the Independent Remuneration Panel.

"To consider and keep under review and, as when appropriate, to submit reports [containing recommendations] to the Council on

- ◆ *The amount of Basic Allowance payable to all members.*
- ◆ *The responsibilities or duties in respect of which Special Responsibility, Travelling, Subsistence and Co-optees' should be available and the amounts of such allowances.*
- ◆ *Any arrangements for the withdrawal of Basic and/or Special Responsibility Allowance if a member is wholly or partially suspended.*
- ◆ *Whether Dependants' Carers' Allowance should be payable and the amount of such an allowance.*
- ◆ *Whether there is any backdating of allowances payable for the year in which an amend*
- ◆ *Whether there is any backdating of allowances payable for the year in which an amendment is made.*
- ◆ *Whether adjustments to the allowances are to be determined according to an index and if so, how long the index shall apply before review [maximum of four years].*
- ◆ *Which members of an authority are entitled to pensions in accordance with a scheme made under Section 7 of the Superannuation Act 1972.*
- ◆ *Whether Basic Allowance or Special Responsibility Allowance, or both, are treated as the amounts for which pensions are payable.*
- ◆ *Any proposals for the introduction of an Allowances Scheme for members of a Parish Council.*
- ◆ *The development of job specifications for roles and responsibilities and key accountabilities for the standard role of a Councillor and for those roles for which a Special Responsibility Allowance is or might be paid."*

RECOMMENDATIONS OF THE PANEL

In making or amending the Members' Allowances Scheme, the City Council must have regard to the recommendations made to it by an Independent Remuneration Panel.

After receiving a report from an Independent Remuneration Panel, the City Council must

- ◆ make a copy available at the Civic Centre for inspection by members of the public
- ◆ if requested, provide copies of the report upon payment of a reasonable fee
- ◆ publish in one or more newspapers circulating in the area a notice confirming the receipt of a report, a summary of the main findings including recommended allowance rates and details of how and where the report can be inspected by members of the public.

INDEPENDENT REMUNERATION PANEL APPLICATION - CITIZEN REPRESENTATIVE

Please complete all sections

1. ABOUT YOURSELF

First Name: _____ **Surname:** _____

Address: _____
 _____ **Post Code:** _____

Tel: _____ **Fax:** _____

Email: _____

2. CRITERIA FOR MEMBERSHIP OF PANEL Please answer EACH of the questions by placing a ✓ in the appropriate box	Yes ✓	No ✓
Do you live or work in Wolverhampton?	<input type="checkbox"/>	<input type="checkbox"/>
Are you a resident of the City and on current Electoral Register?	<input type="checkbox"/>	<input type="checkbox"/>
Are you available to attend meetings?	<input type="checkbox"/>	<input type="checkbox"/>
Are you committed to undertaking the necessary background/preparation work?	<input type="checkbox"/>	<input type="checkbox"/>
Are you an Elected Councillor of any local authority?	<input type="checkbox"/>	<input type="checkbox"/>
Are you employed or appointed by Wolverhampton City Council?	<input type="checkbox"/>	<input type="checkbox"/>
Do you hold any position within a political party at local, regional or national level?	<input type="checkbox"/>	<input type="checkbox"/>
Are you an undischarged bankrupt?	<input type="checkbox"/>	<input type="checkbox"/>
Have you been convicted within the last 5 years of an offence with a sentence of imprisonment [whether suspended or not] for a period of three months without the option of a fine?	<input type="checkbox"/>	<input type="checkbox"/>

3. DECLARATION

I confirm that:

I have read the background information and understand and accept the commitment needed to be an active member of the Independent Remuneration Panel.

The information that I have provided on this application form is correct.

I would fully respect the confidentiality of the information provided to me as a member of the Panel.

I would observe any rules set by the Panel and act in good faith in the interests of the Panel.

Signed: _____ **Date:** _____

Return form to:

INDEPENDENT REMUNERATION PANEL APPLICATION - COUNCIL APPOINTEE

Please complete all sections

1. ABOUT YOURSELF

First Name: _____ **Surname:** _____

Address: _____
 _____ **Post Code:** _____

Tel: _____ **Fax:** _____

Email: _____

2. CRITERIA FOR MEMBERSHIP OF PANEL Please answer EACH of the questions by placing a ✓ in the appropriate box	Yes ✓	No ✓
Do you live or work in Wolverhampton?	<input type="checkbox"/>	<input type="checkbox"/>
Are you available to attend meetings?	<input type="checkbox"/>	<input type="checkbox"/>
Are you committed to undertaking the necessary background/preparation work?	<input type="checkbox"/>	<input type="checkbox"/>
Are you an Elected Councillor of any local authority?	<input type="checkbox"/>	<input type="checkbox"/>
Are you employed or appointed by Wolverhampton City Council?	<input type="checkbox"/>	<input type="checkbox"/>
Do you hold any position within a political party at local, regional or national level?	<input type="checkbox"/>	<input type="checkbox"/>
Are you an undischarged bankrupt?	<input type="checkbox"/>	<input type="checkbox"/>
Have you been convicted within the last 5 years of an offence with a sentence of imprisonment [whether suspended or not] for a period of three months without the option of a fine?	<input type="checkbox"/>	<input type="checkbox"/>

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I would observe any rules set by the Panel and act in good faith in the interests of the Panel.

Signed: _____ **Date:** _____

Return form to:

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