



EAST STAFFORDSHIRE BOROUGH COUNCIL

REPORT COVER SHEET

Title of Report:	Independent Remuneration Panel	To be marked with an 'X' by Democratic Services after report has been presented
Meeting of:	Corporate Management Team 18 November 2022	X
	Leader and Deputy Leaders 22 November 2022	X
	Leader's / Leader of the Opposition's Advisory Group / Independent Alliance Advisory Group 30 November 2022 and 1 st December 2022	X
	Cabinet [DATE] / Council 12 th December 2022	
	Audit Committee [DATE] / Scrutiny Community Regeneration Committee [DATE] / Scrutiny Environment and Health and Well Being Committee [DATE] / Scrutiny Value for Money Council Services Committee [DATE]	



Is this an Executive Decision:	[NO]	Is this a Key Decision:	[NO]
Is this in the Forward Plan:	[YES]	Is the Report Confidential: If so, please state relevant paragraph from Schedule 12A LGA 1972:	[NO] []

Essential Signatories:

ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE

Monitoring Officer: **John Teasdale**

Date 4/11/22..... Signature

Chief Finance Officer: **Sal Khan**

Date 7/11/22..... Signature

EAST STAFFORDSHIRE BOROUGH COUNCIL

Report to Council

Date: 12th December 2022

REPORT TITLE: Independent Remuneration Panel

PORTFOLIO: Chief Executive

HEAD OF SERVICE: Andy O'Brien

CONTACT OFFICER: Andrea Davies Ext. No. x1306

WARD(S) AFFECTED: all

1. Purpose of the Report

- 1.1. The Council is requested to appoint the members of the Independent Remuneration Panel and to agree its terms of reference.

2. Background

- 2.1. The Council is required to undertake a review of its Members' Allowances scheme by its Independent Remuneration Panel under the 4 year rule. The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021) (the '2003 Regulations') require all local authorities to establish and maintain a Panel that must be convened to provide advice on Members' allowances before a Council changes or amends its allowances scheme. Council is being asked to authorise the commencement of the review. The Independent Remuneration Panel shall consist of at least three members none of whom a) is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority; or b) is disqualified from being or becoming a member of an authority.
- 2.2. An Independent Remuneration Panel produced its first report on a Review of Members Allowances in November 2002. This was followed by further reviews in respect of Pensions, Travel and Subsistence and Co-optees

Allowances (July 2003) and Pensions and Licensing Panel Members' Allowances (February 2004), a fourth report (May 2007), a fifth report (March 2011) and supplementary report on a review of special responsibility allowances for the Chairmen of the Audit Committee and of the Relevant and Better Value Scrutiny Committee. The sixth report was produced in March 2015. The seventh report was produced in March 2019 and the supplementary report on Cabinet Support Members was produced in October 2019. A further report on the review of Special Responsibility Allowances for the Chairs of Scrutiny and Audit Committees was produced in February 2022.

3. **Contribution to Corporate Priorities**

3.1. Value for Money Council

4. **Report**

4.1. Dr Declan Hall (Consultant) chaired the Panel in 2018/19 with three other lay members (Mr Simon Chapman, Mr Shaid Hussain and Mr Paul Laffey).

4.2. It is proposed that Dr Hall fulfils the role he has previously undertaken as Chairman, to lead on the review of the Member's Allowances, in accordance with the Independent Remuneration Panel Terms of Reference.

4.3. In order to comply with the statutory regulations the Council is formally requested to reappoint the three laypersons to the Panel. These are as follows: Mr Paul Laffey, Mr Simon Chapman and Mr Shaid Hussain.

4.4. Council is also requested to formally approve the terms of reference for the Panel which are also set out in the recommendations.

5. **Financial Considerations**

This section has been approved by the following member of the Financial Management Unit: Lisa Turner

5.1. The main financial issues arising from this Report are as follows:

Revenue	2022/23	2023/24	2024/25
Cost of Review plus expenses of panel members	£5,000 approx	-	-

This amount is already in the MTFs budget 2022/23.

6. **Risk Assessment and Management**

6.1. The main risks to this Report and the Council achieving its objectives are as follows:

6.2. **Positive** (Opportunities/Benefits):

6.2.1. The Council will be complying with the consolidated regulations for the Local Authority Allowances and will be advised by independent people.

6.3. **Negative** (Threats):

6.3.1. Non-compliance with statutory regulation.

6.4. The risks do not need to be entered in the Risk Register.

7. **Legal Considerations**

*This section has been approved by the following member of the Legal Team:
John Teasdale*

7.1. The Local Authorities (Members Allowances) (England) Regulations 2003 (as amended) provide that before an authority makes or amends its members allowance scheme it must have regard to the recommendations of the Independent Review Panel (IRP).

8. **Equalities and Health**

8.1. **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required.

9. **Data Protection Implications – Data Protection Impact Assessment (DPIA)**

10.1. A DPIA must be completed where there are plans to:

- use systematic and extensive profiling with significant effects;
- process special category or criminal offence data on a large scale; or
- systematically monitor publicly accessible places on a large scale
- use new technologies;
- use profiling or special category data to decide on access to services;
- profile individuals on a large scale;
- process biometric data;
- process genetic data;
- match data or combine datasets from different sources;
- collect personal data from a source other than the individual without providing them with a privacy notice ('invisible processing');
- track individuals' location or behaviour;
- profile children or target marketing or online services at them; or
- process data that might endanger the individual's physical health or safety in the event of a security breach

10.2 Following consideration of the above, there are no Data Protection implications arising from this report which would require a DPIA.

10. Human Rights

10.1. There are no Human Rights issues arising from this Report.

11. Sustainability (including climate change and change adaptation measures)

11.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

12. Recommendation(s)

12.1. That the following three lay members Mr Paul Laffey, Mr Simon Chapman and Mr Shaid Hussain be reappointed to serve on the Independent Remuneration Panel;

12.2. That Dr Declan Hall be reappointed as Chairman to serve on the Independent Remuneration Panel and make recommendations to the Council on Members Allowances;

12.3. That Council agree to pay the Members of the Panel any expenses and fees incurred by them in carrying out their duties;

12.4. That the Panel be given the following terms of reference:

- To make recommendations on the allowances currently payable under the Council's Members' Allowances Scheme;
- To make recommendations on any other allowances which the panel considers should be payable under the scheme;
- To assess the success of the measures introduced in 2015 on member attendance and make any further recommendations;
- To make recommendations on any other matters on which the panel considers it necessary.

12.5. The scheme should be transparent, economic, efficient and effective to administer and easy to explain and justify to the local communities in the borough.

13. Background Papers

13.1. First Report on a Review of Members Allowances (November 2002);

13.2. Supplementary Report on Review of Pensions, Travel and Subsistence and Co-Optees Allowances (July 2003);

13.3. Supplementary report on Pensions and Licensing Panel Members' Allowances (February 2007);

- 13.4. Fourth Report on a review of Members Allowances (May 2007);
- 13.5. Fifth Report on a Review of Members Allowances (March 2011);
- 13.6. Supplementary Report on review of special responsibility allowances for the Chairmen of the Audit Committee and of the Relevant and Better Value Services Scrutiny Committee (May 2013);
- 13.7. Sixth Report on a Review of Members Allowances (March 2015);
- 13.8. Seventh Report on a Review of Members Allowances (March 2019).
- 13.9. Supplementary Report on review of Special Responsibility Allowances for Cabinet Support Members (October 2019)
- 13.10. Supplementary Report on Review of Special Responsibility Allowances for the Chairs of Scrutiny and Audit Committees (February 2022)

14. **Appendices**

None.