

# Independent Remuneration Panel appointment process

<b>Report number:</b>	<b>COU/WS/23/011</b>	
<b>Report to and date:</b>	<b>Council</b>	20 June 2023
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**Decisions Plan:** **Not applicable as this is not an executive matter**

**Wards impacted:** **Not applicable**

**Recommendation:** **It is recommended that Council:**

- 1. Agrees the process for appointing a new Independent Remuneration Panel for West Suffolk Council, as set out in section 2 of Report number: COU/WS/23/011.**
- 2. Gives delegated authority to the Monitoring Officer, in consultation with the respective Group Leaders, to each appoint a member from the Progressive Alliance Grouping and the Conservative Group to join the Portfolio Holder, being a member of the**

**Independents, to sit on the proposed Selection Panel, as set out in paragraph 2.2.1**

- 3. Approves the terms of reference for the Independent Remuneration Panel, as set in Appendix A to Report number: COU/WS/23/011.**
- 4. Agrees the person specifications for IRP members as set out in Appendix B.**
- 5. Agrees the appointment of an advisor to the panel, as set out in Appendix C.**

## **1. Context to this report**

- 1.1 Elected members are entitled to receive an annual allowance which recognises their work and time commitment to the role. In addition, they are entitled to claim expenses for travelling and other costs incurred when undertaking their duties as a councillor. Those councillors who undertake additional duties, such as chairing a committee or acting as the lead member (portfolio holder) for an area of council activity, are entitled to an additional allowance due to the extra time they can incur in such duties.

The detail on the level of remuneration, allowances and expenses entitled by councillors forms the Members' Allowances Scheme. This must be produced in accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003 (the Regulations) and is required to be adopted by the Council.

- 1.2 The Regulations also require local authorities to establish and maintain an independent remuneration panel to make recommendations on the level of basic and special responsibility allowances and associated matters that are paid to councillors.
- 1.3 West Suffolk Council's Members' Allowances Scheme is required to be reviewed in full by a newly appointed independent remuneration panel. The panel will make recommendations to Council on the level of remuneration, allowances and expenses for councillors. These recommendations must be considered by the Council, although the Council is within its right to agree alternative proposals. A new scheme must be adopted by December 2023 in order for it to be adopted before the current scheme expires in February 2024. The scheme will then be subject to annual review.

## **2. Proposals within this report**

### **2.1 Process for appointing an independent remuneration panel**

- 2.1.1 An independent remuneration panel must comprise a minimum of three members. The process for appointing must command public confidence, and both the process, and the panel, should not only be independent, but seen to be independent. Those who are disqualified from being a councillor cannot sit on the panel, and in addition, it suggested that those with existing, active political affiliations should also not sit on the panel.
- 2.1.2 The Regulations state that 'Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.'

- 2.1.3 It is therefore recommended that the panel is appointed for no longer than a four-year term, as proposed in the terms of reference for the independent remuneration panel (IRP) attached at Appendix A.
- 2.1.4 The IRP's work will be supported by officers of the Council, who will offer appropriate training, briefing and support to panel members. Members may also wish to consider the appointment of an advisor to the panel who can act as a conduit between Council officers, elected members and the panel. This is not unusual and is a role usually undertaken by someone with significant experience of local government, whether through having acted as a senior officer or councillor in the past.
- 2.1.5 Person specifications for IRP members and the advisor to the panel are attached at Appendices B and C respectively.

## 2.2 **Appointment process including formation of selection panel**

- 2.2.1 As above, the process for appointing IRP members must be open, fair and seen to be independent. Practices in recommending and approving appointments vary. It is proposed to make appointments as follows:
- a. Officers will advertise for IRP members using a variety of means, including social media channels, via the website, contacting relevant organisations (local business / voluntary sector organisations) and issuing a press release
  - b. If agreed by Members, officers will also seek an advisor at the same time, and whilst similar communication channels will be used, different relevant parties (for example, the Local Government Association) will also be contacted
  - c. Applicants will be required to submit a CV and an accompanying personal statement outlining why they wish to apply for the role and their relevant skills / attributes and experience
  - d. A selection panel will be formed, comprising the following:
    - Portfolio Holder for Governance and Regulatory
    - A member from the Progressive Alliance Grouping
    - A member from the Conservative Group
    - The Monitoring Officer
    - A Strategic Director
    - An Independent Person (selected from the Suffolk authorities pool, on the condition that they do not wish to be appointed to the IRP)
  - e. If agreed, the Monitoring Officer and Strategic Director will be given delegated authority to review and assess applications and circulate recommended shortlisting proposals to the selection panel. The selection panel will then meet with shortlisted applicants and recommend a minimum of three members and, if required, one advisor to Council

- f. The Council shall subsequently consider the recommendations of the selection panel and make the appointments.

### 3. Proposed timeline

3.1 The following timeline for review and adoption of a new Members’ Allowances Scheme is as follows:

Stage	Action	When
Selection Panel	Approval sought to form a selection panel to appoint an independent remuneration panel (IRP). Approval also sought for terms of reference for the IRP and person specifications.	Council – 20 June 2023
Appointment process	Selection panel undertakes recruitment process to recommend appointments to the IRP (including potentially an external advisor)	July 2023 to mid September 2023 (9 weeks)
Appointment of IRP	Approval sought for appointing the nominated persons to the IRP	Council – 26 September 2023
Review	IRP reviews Members’ Allowances Scheme over a series of meetings, interviews with members etc, in accordance with its ToR.	October 2023 to December 2023 (9 weeks)
Adoption	Report of the IRP: Approval sought to adopt new Members’ Allowances Scheme.	Council – 19 December 2023

### 4. Alternative options that have been considered

- 4.1 **Selection panel:** The Council may decide not to form a selection panel to undertake the recruitment process for appointing a new independent remuneration panel; however, acknowledging the requirement to maintain and promote independence, openness and transparency, the formation of a selection panel is considered to be an appropriate method of achieving this.
- 4.2 **Alternative timeline for the review of the Members’ Allowances Scheme:** A new Members’ Allowances Scheme is required to be adopted by Council by February 2024; therefore, it is necessary to put the necessary actions in place in a timely manner to ensure Council has the opportunity to consider and adopt a new scheme before the current scheme expires.

### 5. Consultation and engagement undertaken

- 5.1 Engagement will be undertaken with the selection panel (if formed) on the proposed recruitment process for the IRP.

## **6. Risks associated with the proposals**

- 6.1 That a new Members' Allowances Scheme is not adopted prior to the expiry of the existing scheme. However, the proposed timeline set out in 3.1 above allows some flexibility to help mitigate this.

## **7. Implications arising from the proposals**

- 7.1 Financial – the costs associated with undertaking the appointment process for the independent remuneration panel (IRP) will be borne from existing resources.
- 7.2 Legal compliance – the review of the Members' Allowances Scheme will be undertaken in accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003
- 7.3 Personal data processing – the appointment process for the IRP will be compliant with personal data processing procedures
- 7.4 Equalities – the appointment process for the IRP will be compliant with appropriate equalities procedures

## **8. Appendices referenced in this report**

- 8.1 Appendix A – proposed terms of reference for the independent remuneration panel (IRP) (as already approved in the Constitution)
- 8.2 Appendix B – Person specification for IRP members
- 8.3 Appendix C – Person specification for Advisor to the IRP

## **9. Background documents associated with this report**

- 9.1 [The Local Authorities \(Members' Allowances\) \(England\) Regulations 2003](#)
- 9.2 The current [Members' Allowances Scheme](#) as contained in the Constitution