

Report to Standards Committee

Subject: Membership of Standards Committee and review of Independent Person Remuneration

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1 Purpose

To review the membership of the Standards Committee and remuneration payable to the Independent Person and reserve.

Recommendations

THAT:

- 1) Standards Committee recommends to Council that the vacant co-opted parish representative post be removed from the Committee; and
- 2) Standards Committee reviews the remuneration payable to the Independent Person and reserve and determines an appropriate recommendation to Council.

2 Background

2.1 Standards Committee

The current composition of the Standards Committee is as follows:

- a) the Standards Committee is not politically balanced;
- b) it consists of 2 representatives from each political group together with 3 co-opted non-voting members (1 Independent and 2 Parish reps);
- c) the Sub-Committees of the Standards Committee (Hearings Panels) consists of 1 representative from each political group and 1 co-opted non-voting Member will deal with decisions on allegations following an investigation.

The current arrangements were agreed by Council on 11 July 2012 and reviewed in 2016, when it was agreed that they should be retained.

2.2 One of the co-opted parish representative positions has been vacant since March 2019.

2.3 Independent Person Remuneration

The Council currently has an Independent Person (John Baggaley) and a reserve Independent Person (Susan Dewey). The Independent Person may be remunerated, but there is no guidance on setting an appropriate level of remuneration and Councils have taken different approaches. In 2012 Council agreed that the Independent Person should be paid a fixed fee retainer of £500 per year to cover attendance at meetings and telephone calls with an additional fee of £100 per complaint which is dealt with following an investigation. It was also agreed that the reserve Independent Person receives a fixed fee retainer of £250 per year with a fee of £100 per complaint which is dealt with following an investigation. The reason for the additional fee of £100 is that there is additional input from the Independent Person at that stage – he/she will need to read a lengthy investigation report, be consulted by the Monitoring Officer on an appropriate resolution and attend a Hearings Panel (if one is required).

2.4 The remuneration was reviewed in 2016 and it was agreed that the increase to Members' basic allowances agreed at Council in March 2016 be applied to the fixed fee retainer and additional fee.

2.5 The workload of the Independent Person will fluctuate depending on the number and complexity of complaints received. In relation to each complaint, the Independent Person:

- Receives and is expected to read a summary of the complaint
- May be contacted by the Subject Member to discuss the complaint
- Receives and is expected to read a copy of the Subject Member's representations
- May have telephone conversations with the Monitoring Officer about the complaint
- Attends a meeting with the Monitoring Officer at the civic centre to discuss the complaint
- Is invited to meetings of the Standards Committee, although he is not a member of the Committee and does not have to attend.

The number of complaints dealt with since 2012 are set out in a separate report on the agenda. The time spent by the Independent Person on each complaint depends on its complexity.

- 2.6 The reserve Independent Person has been appointed to deal with complaints where the Independent Person has a conflict of interest or is unavailable to act, for example due to holiday or illness. To date, the reserve Independent Person has not been called upon to deal with a complaint, but has been copied into correspondence relating to complaints received since her appointment and has shadowed the Independent Person.
- 2.7 In relation to remuneration for Independent Persons, different approaches have been taken by different Councils. By way of example, the level of payments across the County range from expenses only to a retainer of £1,500.
- 2.8 As the Independent Person is not a member of the authority or of its Committees or Sub-Committees, the remuneration of the Independent Person does not come within the scheme of members' allowances, and can therefore be determined without reference to the Independent Remuneration Panel. Approving the level of remuneration falls to full Council.

3 Proposal

- 3.1 The Standards Committee has continued to function well whilst one of the co-opted parish representative posts has been vacant. The rationale for appointing 2 co-opted parish representatives originally was to provide resilience in the event that a hearing panel was called to deal with a complaint about a parish councillor and one was unable to act due to conflict. Since 2012, this has not been necessary and an alternative solution would be to ask the co-opted independent representative to act if such circumstances were to arise. In light of this it is proposed that the Standards Committee recommend to Council that the vacant co-opted parish representative post be removed from the Committee.
- 3.2 It is proposed that the Standards Committee review the remuneration of the Independent Person and reserve and determines an appropriate recommendation to Council.

4 Resource Implications

- 4.1 Currently co-opted members to Standards Committee receive £500 per annum. Therefore removing the vacant co-opted parish representative post from the Committee will result in a saving of £500.
- 4.2 The Independent Person and reserve currently receive £515.02 and £252.50 per annum respectively. When reviewing the remuneration payable to the Independent Person any increase totalling £500 can be accommodated within existing budgets.

5 Appendices

5.1 None.

6 Background papers

None identified.