

EAST HERTS COUNCIL

COUNCIL – 8 DECEMBER 2010

REPORT BY THE DIRECTOR OF INTERNAL SERVICES

INDEPENDENT REMUNERATION PANEL

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

To constitute the Council's Independent Remuneration Panel (IRP)

<p><u>RECOMMENDATIONS:</u> that (A) in relation to the constitution of the Independent Remuneration Panel and Terms of Reference <i>(Council to determine – see options in report)</i></p>

1.0 Background

1.1 Council, at its Annual meeting held on 12 May 2010, considered options for constituting the Council's Independent Remuneration Panel (IRP) – there are 5 vacancies.

1.2 Council agreed that the Monitoring Officer, in consultation with the Director of Internal Services, be authorised to identify suitable candidates from the following 5 "constituencies:

- (A) former East Herts District Councillors;
- (B) the East Herts business community;
- (C) other public sector bodies with a presence in East Herts (e.g. the local Primary Care Trust);
- (D) existing or former members of other local authorities IRP's (within or outside Hertfordshire), and
- (E) members of East Herts town/parish councils (excluding anyone who is also a Member of a Principal Authority).

2.0 Report

2.1 Members are reminded that candidates for an IRP should be assessed using the criteria detailed in guidance issued by the Department for Communities and Local Government entitled "Guidance on members' allowances for local authorities in England."

- Members of the panel cannot be members (or co-opted members) of any local authority in respect of which it makes recommendations;
- Anyone disqualified from being elected as a member of a local authority is also disqualified from being a member of the panel;
- The membership of the panel should be truly independent and well qualified to discharge its functions and be representative of the diversity of the District's communities;
- To ensure public credibility in their independence, the extent to which panel members are recognisable members of the local community – avoiding political appointments and appointments made through friendship or any other personal association with Members of the Council;
- The extent of any applicant's connections to a political party and whether these are such as to risk the effective discharge of the panel's functions, and
- An applicant's knowledge of local government and the way it works – although lack of familiarity with the Council's functions should not be a bar to appointment.

2.2 The Director of Internal Services duly contacted individuals and representative groups to put forward nominations.

2.3 Council, at its meeting on 29 September 2010 agreed that it could not constitute the IRP on the basis of the information then available and requested Officers to seek further details from those expressions of interest, as well as holding open the deadline for new expressions of interest until 1 October 2010.

2.4 Listed below are the remaining (and subsequent) expressions of interest received in respect of each category:

Former Councillors

Mr B C Engel; Mr C Harris; Ms D Desmulie; Mrs S Newton; Mrs N Burdett; Mrs D Richards;

East Herts Business Community

Mr J Reynolds (Carnival Fancy Dress); Mr N Cope (Hertford Energy);

Public Sector Bodies

None;

Other local authority IRP Members

Mr B Welch (Watford); Mr D McNeil (Watford);

East Herts Town/Parish Councillors*

Ms D Lemay (Buntingford), Mr P Boylan (Braughing), Mr D Filer (Watton-at-Stone), Mr J Pool (Little Munden)

2.5 To assist Council to ensure that its IRP:

- (a) is independent;
- (b) is reasonably knowledgeable about local government;
- (c) is representative of a range of backgrounds and experiences, and
- (d) members will undertake their duties with an open mind,

all the individuals detailed were sent a questionnaire (see **Essential Reference Paper 'B'**) to complete.

2.6 Responses received have been copied to all of Council's elected members separately. Council does not intend to publish any information provided. However, all individuals were advised (and members should note) that Council may be required to supply a redacted copy of the statements in response to Freedom of

Information requests.

2.7 At the time of writing this report and notwithstanding further requests for information, responses have not been received from:

Ms D Desmulie, Mrs D Richards, Mr J Reynolds, Mr N Cope, Mr B Welch, and Ms D Lemay.

2.8 Members will note that no expressions of interest now remain for the public sector bodies group. Similarly, with no completed questionnaires returned, it could be argued that the candidatures from the East Herts Business Community should not be considered.

2.9 Council is invited to constitute the Panel (of 5 members) from those individuals now detailed who have responded to the questionnaire. In the next Civic year, Officers will continue with attempts to identify potential candidates from the vacant constituencies. As and when identified, Council would be invited to reconsider the constitution of the Panel.

2.10 Council is also invited to identify any specific terms of reference for the Panel (in addition to the statutory remit of reviewing and reporting its recommendations on the level of basic, special responsibility, dependant careers and travel allowances).

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Department for Communities and Local Government: Guidance on members' allowances for local authorities in England

Contact Officer: Alan Madin - Director of Internal Services - ext 1401

Report Author: Jeff Hughes – Head of Democratic and Legal Support Services – ext 2170

ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Fit for purpose, services fit for you <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i>
Consultation:	Not applicable.
Legal:	The appointment of Panel members accords with the provisions of relevant legislation.
Financial:	There are no financial implications apart from the administration costs of the Committee. Panel Member allowances at £250 each per year will be met from within existing budgets.
Human Resource:	There are no Human Resource implications.
Risk Management:	The Council needs to give serious consideration to ensuring not only the independence of the panel but also the public perception of this independence. The Panel needs to be constituted in order for the Authority to consider its recommendations when determining the level of allowances to apply for 2011/12.

ESSENTIAL REFERENCE PAPER B

Application for membership of the East Herts Independent Remuneration Panel

The Council wishes to ensure that its Independent Remuneration Panel is independent, reasonably knowledgeable about local government and representative of a range of backgrounds and experiences and that Panel members come with an open mind.

Applicants are therefore asked to respond briefly in writing to the questions set out below. It is not expected that responses to all questions should be more than 3 pages long.

Responses will be copied to all of the Council's elected members who will make the decision on appointment.

If for any reason you do not wish to provide a response to a question please give a brief commentary of the reason for this.

Please note that if you are disqualified from being elected as a member of a local authority you cannot be appointed to an Independent Remuneration Panel. In submitting an application you will be representing that you are not so disqualified and the Council may make reasonable enquires to confirm you are not disqualified.

Q1 Please set out your understanding of the role of a council's elected members and how the cabinet system of governance operates in a local council. Outline how this understanding has been gained.

Q2 Please state your current and past membership of or affiliation to any political party, campaigning organisation or group relevant to the public sector.

Q3 Please outline any affinity you have to East Herts as a place in which to live, work or visit.

Q4 Please provide details of any work or other experience which you feel will be of particular help to you as a member of the panel.

Q5 Please provide details of any family, business or social relationship in the last 5 years with any member of East Herts Council.

Q6 The Council wishes to ensure the Panel is widely representative of the community and therefore has attached to this document a form used to monitor applications for employment with the Council in accordance with the Council's equalities policy. Normally, this information is used in confidence by the Council's HR section and is not shared with those making appointments. Please state whether in this instance any information you supply may be shared with elected members.

Q7 Please make any other comments which you wish members to have regard to when making the appointments.

Council does not intend to publish any information you provide. However, the Council may be required to supply a redacted copy of the statements you make in response to Freedom of Information requests.