
Report of the Independent Remuneration Panel of Wiltshire Council

Recommendation on the remuneration for
the following roles:

- Standards Committee Chairman, independent co-opted members and town and parish council members.
- Scrutiny Committee allowances
- Police and Crime Panel members
- Health and Wellbeing Board members

Members of the Panel

Mr A Lampey
Mr J Payne
Mr D Stratton OBE

Introduction

1. Wiltshire Council's Independent Remuneration Panel was convened under The Local Authorities (Members' Allowances) (England) Regulations 2003. The Regulations require all local authorities to set up and maintain an advisory Independent [Members'] Remuneration Panel to review and provide advice on Members' allowances. All Councils are required to convene their Remuneration Panel and seek its advice before they make any changes or amendments to their allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.

Principles

2. The Panel confirmed the principles it had adopted for previous reviews:
 - a. the level of remuneration should relate to a commonly accepted benchmark, such as the median male non-manual salary
 - b. a scheme should be simple and easy to understand by the public as well as councillors themselves
 - c. a scheme should not be bureaucratic
 - d. Wiltshire Council is one of many local authorities and it should not adopt a scheme which is significantly out of line with others
 - e. membership of a local authority is a voluntary public service and the level of allowances should reflect that; but people should not be prevented from standing for office on financial grounds
 - f. a scheme should provide reasonable recompense for the time commitment and duties involved, after allowing for an element of public service, in order to maintain the quality of representation and extend the opportunity for people to serve as councillors
 - g. a scheme should reflect the substantial time which the average councillor spends on casework, local community work and other council work
 - h. a scheme should recognise also the additional duties and responsibilities of office holders.

Background

3. The Independent Remuneration Panel met on 28 June 2012 to consider the level of allowances that would be appropriate for the following roles:
 - Standards Committee Chairman, independent co-opted members and town and parish council members
 - Scrutiny Committee allowances – taking into account the revised scrutiny arrangements
 - Police and Crime Panel members

- Health and Wellbeing Board members.
4. At this meeting and its previous meeting on 29 May 2012 the Panel considered the following evidence:
- The report to the Council meeting on 15 May 2012 giving details of the new standards framework which will come into effect from 1 July 2012. This included the job description of the independent person, details of the complaints procedure and the flow chart setting out how complaints would be dealt with under the new system.
 - Background papers relating to the Police and Crime Panel and Health and Wellbeing Board including terms of reference and details of the role of members on these bodies.
 - The level of allowance that other councils are proposing to pay for these roles.
 - The Panel also met with the following officers and councillors who gave further information and answered questions relating to the roles considered and the level of responsibility required to undertake them.
 - (a) Monitoring Officer
 - (b) Head of Democratic Services
 - (c) Statutory Scrutiny Officer.
 - (d) Councillor Tony Deane – Conservative Lead Scrutiny Member
 - (e) Councillor Trevor Carbin – Liberal Democrat Lead Scrutiny Member
 - (f) Councillor John Hubbard – Liberal Democrat Group Leader
 - (g) Councillor Christopher Newbury – Independent Group Leader.

Standards Committee - Discussion and Conclusions

5. In considering its recommendations the Independent Remuneration Panel discussed the following issues:
- Changes to the Standards regime were now being made as a result of the Localism Act 2011.
 - Despite early proposals to scrap the whole standards regime, the Act actually introduced a more complex system. Councils would no longer have to have a standards committee but most councils would have one or something very similar as a mechanism for investigating complaints and to promote high standards of conduct as they are required to under the legislation.
 - The Monitoring Officer outlined the main changes to the standards regime and gave further details as to how the new system would work and the level of involvement and responsibility of the co-opted members who would be appointed.

6. The Panel came to the following conclusions:

- The Panel concluded that the work of the new standards committee was likely to be less onerous in terms of the number of meetings and because of a new lighter touch complaints procedure. On that basis they felt that the special responsibility allowance for the chairman should be comparable to other committees such as audit and staffing policy. (Band 9 under the members' allowance scheme).
- The new Act shifted the power away from the independent members of the committee who previously were full voting members and in fact chaired the committee, back to councillors. The new committee would be a fully politically proportional committee as are other committees, and whilst co-opted members are still permitted, only councillors will be allowed to vote.
- The roles of the independent members and town and parish council representatives of the committee were therefore reduced as they fulfilled an advisory capacity only and were non-voting members and therefore were no longer an essential part of the role of the complaint hearings. On that basis the Panel felt that their co-optees' allowance should be halved to reflect that reduced role.
- The Panel accepted that their recommendations would be based on opinions formed in advance of the new system coming into being and asked that it be noted that it would as part of its overall review of the scheme in preparation for the new council in 2013, review these allowances in the light of experience of the first months of the system.

Overview and Scrutiny Committees – Discussion and Conclusions

7. In considering its recommendations the Independent Remuneration Panel discussed the following issues:

- The Panel received a briefing on the development of the scrutiny function within the council.
- The existing allowances scheme that had been recommended by the Panel in 2009 and reflected a structure with an overarching management committee and three service based select committees dealing with health, children's services and environment. As the new Council evolved so did the structure whereby four select committees developed into a flatter structure with an overarching Liaison Board made up of the chairmen and vice chairmen of each of the select committees.
- As the organisational arrangements within the Council continued to develop so did the need to ensure that scrutiny function followed suit. The council in 2010 introduced a business plan and there were some concerns expressed

that scrutiny's work programme was not focussed sufficiently on the council's main aims and objectives within that Plan and therefore wasn't adding value to the work of the council. On that basis a further review of the structure was commenced in July 2011. The outcome of this review was agreed by the Council at its meeting on 15 May 2012 and the Panel were briefed on the main elements of the structure.

8. The Panel came to the following conclusions:

- This was an evolving structure but in essence there were several similarities between this structure and that originally considered by the panel in 2009.
- The chairmen's special responsibility allowance was set at the correct level within the overall scheme. There might be a need to consider the role of vice chairmen within the scheme at a later date however the Panel recognised that this might mean that the number of SRA's payable within the Council's scheme might exceed the 50% guidelines issued by the Government.
- There was a hierarchical difference between the select committees and the management committee both in terms of allowance and reporting.
- The responsibility for setting work programmes and allocating resources lies with the Management Committee.
- The principle of the £10k pot to encourage engagement within the scrutiny function was correct but there were questions over whether it was sufficient to incentivise members. It was felt that members would not be encouraged to engage in scrutiny simply because of a relatively small amount of additional allowance. They needed to be interested in the topic under discussion and understand how scrutiny could make a difference.
- The Panel noted that the £10k was currently divided by the number of shares and distributed to members who had attended over 50% of available meetings of any scrutiny committee or task group.

9. The Panel expressed concern that the £10k pot was being used as an attendance allowance rather than for recognising additional workloads and responsibility. The allocation system had ended up becoming quite a bureaucratic task. This was contrary to the principles of the allowances scheme which were to be simple and easy to understand and non bureaucratic. The scheme was also designed to reward members for significant levels of responsibility and not simply for turning up at meetings. On this basis the Panel agreed that there was no evidence to increase the size of the pot.

10. The Panel reiterated the views expressed in its previous report during the 2009/10 review:

“The Panel does believe that the fund can serve a valuable purpose in remunerating Councillors who play a significant role in scrutiny activities such as task groups or rapid scrutiny exercises. It therefore recommends that the £10,000 fund is retained within the Scheme but specifies that it is intended to reward Councillors performing specific scrutiny functions such as chairing task groups and rapid scrutiny exercises. Choosing the precise method of allocation remains in the gift of the Chairman of the Overview and Scrutiny Management and Resources Select Committee.”

11. The Panel felt that the allowances for scrutiny members were set at the correct level. The Panel however accepted that these recommendations were based on opinions formed in the early stages of the new structure and asked that it be noted that it would as part of its overall review of the scheme in preparation for the new council in 2013, review these allowances in the light of experience.

Police and Crime Panel (PCP)

12. In considering its recommendations the Independent Remuneration Panel discussed the following issues:
 - The Panel received details of the current Police Authority allowances and expenses, the Terms of Reference of the Police and Crime Panel (PCP), the application pack for the independent co-opted members and details of the role of the Police and Crime Commissioner (PCC).
 - The Panel also considered a briefing paper submitted by the chairman of the PCP estimating the workload of PCP members in comparison with the current Police Authority.
 - The Panel received a briefing from John Quinton on the work of the PCP and how it would hold the PCC to account for the effective policing of the area. It understood that the PCP was not replacing the Police Authority but it did acknowledge that it had powers of veto on some significant issues.

13. The Panel came to the following conclusions:

- The PCP would operate as a scrutiny body in that it would in general have similar powers and responsibilities as compared to other scrutiny committees.
- However there are some key areas where the PCP had additional powers of veto around the budget and appointment of staff that added to its responsibilities.
- On this basis there was no evidence to support paying an allowance to all members of the PCP. The PCP discharged a very important role but it was not replacing the Police Authority as that Authority's executive functions would be discharged by the PCC.
- The Chair should receive an SRA and this should be set at a level between the current Select Committees of the Council and the Management

- Committee to recognise the additional responsibilities exercisable by the PCP and its greater responsibility to the public.
- That no SRA be payable to the Vice Chair but that this be considered along with all other vice chairmen as part of the wider review.
 - That the comparison of voting co-opted members of the Children's Services Select Committee be used to estimate an allowance for the co-opted independent members of the PCP. The PCP co-optees had a minimum workload estimated at double that of the children's services co-optees and considering that and to reflect the uplift applied to the chairman's SRA, resulted in an allowance of £1926.

Health and Wellbeing Board – Discussions and Conclusions

14. In considering its recommendations the Independent Remuneration Panel discussed the following issues:

- The Panel received a briefing from John Quinton on the role of the Board including its terms of reference.
- The Panel were briefed on the memberships of the Board and that further regulations were still awaited from the Department of Health.
- There was little benchmarking data nationally to compare what other local authorities had agreed.

15. The Panel came to the following conclusions:

- The majority of members of the Board were there to represent groups or organisations outside of the council that had been established to do a particular job ie GP's, and that service on the Board was part of their job.
- On that basis the Panel didn't feel that it was their role to reward such persons with an allowance.
- This left the councillors on the Board and as these were currently all Cabinet Members whose portfolio included health issues, or the Leader, the preliminary view of the Panel was that their SRA already covered these duties.
- In view of the lack of comparable data, that the Board was currently acting in shadow mode and that further regulations were still to be issued, the Panel felt that it would be premature to set an allowance for members of the Board.

Recommendations

16. The Council is recommended to:

- (1) Set the Special Responsibility Allowance payable to the Chairman of the Standards Committee at £2,517 per annum (Band 9) to reflect the anticipated reduced workload and number of meetings.

- (2) Set the co-optee's allowance payable to independent and town and parish members of the new Standards Committee at £1,120 per annum.
- (3) Retain the current allowances for those engaged in the scrutiny process and in particular to note that:-
 - (a) The issue of paying an allowance to vice chairmen of scrutiny committees would be considered along with all other vice chairmen as part of the larger review later in the year; and
 - (b) The £10k pot for allocation to scrutiny members was intended to recognise significant additional responsibility.
- (4) Agree an SRA for the Chairman of the PCP of £7550 representing 30% of the Leaders SRA.
- (5) Agree an allowance of £1926 for the independent co-opted members of the PCP.
- (6) Agree that no allowance be paid to the ordinary members of the PCP at present as this was covered by the basic allowance and that the issue of an allowance for the vice-chairman be considered as part of the overall review of allowances along with all other vice-chairs.
- (7) Agree that no allowances be payable for any members of the Health and Wellbeing Board.