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# Report of the Independent Remuneration Panel of Wiltshire Council

Recommendation on the remuneration for  
the Standards Committee Independent  
Person

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## 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.
2. At the last Council meeting held on 15 May 2012, when considering the new standards regime the Council resolved:

*To seek the advice of the Independent Remuneration Panel on an appropriate rate of remuneration for the independent person and to bring this back to council for decision on 26 June 2012.*

3. Members recognised that the allowance for the independent person does not strictly fall under the statutory remit of the Independent Panel because it is not a special responsibility allowance and does not relate to committee membership. However, they felt that it would be useful to obtain an independent view for consideration.

## Background

4. The Independent Remuneration Panel met on 29 May 2012 to consider the level of allowances that would be appropriate for the independent person appointed to undertake the statutory role of the Independent Person appointed under Section 28(6) of the Localism Act 2011.
5. At this meeting 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.
  - The Panel met with the Monitoring Officer who responded to questions, 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 three independent persons who would be appointed.
  - The level of allowance that other councils are proposing to pay the independent person. This ranged from £250 to £3,232 per annum.

## **Discussion**

6. In considering its recommendation the Independent Remuneration Panel discussed the following issues:
  - Although the key tasks in the new standards regime reflect legislation there is a local slant to the agreed framework.
  - The role of the independent person is a new position and no equivalent role exists in the current regime.
  - Three independent persons will be appointed to avoid conflicts of interest. One person will liaise with the Monitoring Officer and the Hearing Sub Committee, one will liaise with the councillor against whom a complaint has been received and one will act as a reserve in case there is a conflict of interest.
  - The role of the independent person will also involve proactively working to resolve complaints before the hearing stage. This is likely to involve some form of mediation between the two parties involved in the complaint. They will not actually be making a decision on the case and will not be a member of the new Standards Committee. However, they will undertake an advisory and supporting role.
  - This is not an advocacy role but the person could act as a support mechanism for the councillor complained against if required.
  - Each complaint could potentially involve two independent people.
  - The number of complaints received by the Standards Committee averaged 50 per year over the last three years. However, the new framework will result in a lighter touch approach to complaints which is expected to lead to fewer hearings.
  - Most complaints involved Town and Parish councillors and mostly related to issues such as bringing the council into disrepute and failure to treat others with respect.
  - The sanctions under the new regime are not as wide ranging as the under current regime and involve censuring the councillor concerned or recommending that a Town or Parish council censure a councillor. There will no longer be a power to suspend a councillor.

## **Conclusions**

7. The Panel concluded that the role of the independent person requires a person of a suitable calibre to undertake the position. The role will involve a certain level of time commitment and responsibility (i.e. reading papers, liaising with the Monitoring Officer or councillor complained against, undertaking mediation). However, the time commitment will depend on the number of complaints received and it is difficult at this stage to ascertain whether complaints will remain at the same level under the new framework. There was some recognition that this is arguably a

more responsible role than that of the current independent member on the Standards Committee.

8. As the role is so new and it is difficult to gain concrete evidence of the time commitment and level of responsibility involved the Panel concluded that the current allowance of £2,240 paid to independent members of the Standards Committee would be a sensible starting point. This allowance can then be reviewed in the light of experience when undertaking the full review of the members' allowances scheme in the autumn.

### **Recommendation**

9. The Council is recommended to:

- (1) Set the level of allowance for the statutory role of the Independent Person appointed under Section 28(6) of the Localism Act 2011 at £2,240 per annum with effect from 1 July 2012.
- (2) To note that the Independent Remuneration Panel will review this allowance in the light of experience as part of its full review of members' allowances in the autumn.