

Gravesham Borough Council

Report to: Standards Committee
Date: 27 July 2016
Reporting officer: Monitoring Officer
Subject: Appointments to the Independent Remuneration Panel

Purpose and summary of report:

To set out the procedure for making appointments to the independent remuneration panel and report on progress to date.

Recommendations:

To note the progress made to date and endorse the way forward set out in paragraph 5.0 of the report.

1.0 INTRODUCTION

- 1.1 The Independent Remuneration Panel provides the Council with advice on its Members' Allowances Scheme, the amounts to be paid and the pensionability of allowances where relevant, together with any other matters that may be required by law. This is set out in Article 2.5 to the Constitution
- 1.2 Persons appointed to the Independent Remuneration Panel may each serve for a period of four years from the date of their appointment and members of the Panel may be re-appointed on the expiry of their term of office, subject to no person serving on the Panel for more than a total of eight years.
- 1.3 The membership of the previous panel had all served for eight years and have therefore had to stand down. It is now necessary for a new panel to be constituted to carry out the functions set out in paragraph 1.1 above.

2.0 PROCEDURE FOR MAKING APPOINTMENTS

- 2.1 Before reporting to the Standards Committee the Monitoring Officer is required to consult with as wide a range of organisations as possible including those representing local businesses, faith communities, voluntary and community groups and public service organisations. The Monitoring Officer may also invite views from the general public via the local media.
- 2.2 The Deputy Monitoring Officer arranged for consultation with the Gravesham Business Network, which resulted in expressions of interest and in requests for information from a number of people.

- 2.3 A wider consultation then took place through the Councils normal channels. This involved an email to thirty-nine bodies or individuals with various voluntary, faith or community interests, the Afro-Caribbean Forum, Street Pastors, Parish Councils and some local churches.
- 2.4 It is now considered that the consultation has been carried out satisfactorily. In accordance with paragraph three of Annex 3.7 the Independent Remuneration Panel must be constituted of not more than three or not more than five members. Sufficient nominations have thus been received for a panel to be constituted. There seems to be no provision for formal substitutes, although under the circumstances it seems clear that should a Panel member resign he could readily be replaced.
- 2.5 As a result of this lengthy procedure the Monitoring Officer has received firm expressions of interest from the following people:-
- i) Jag Sidhu, Director of Nick Building Contractors Ltd
 - ii) Idowu Anthony-Ajileye of Tonidol (UK) Ltd
 - iii) Jasvinder Gill, Senior Partner of Hatten Wyatt Solicitors
 - iv) Louise Brisley, Business Adviser of Switch Business Solutions
 - v) Maxine Fothergill, Managing Director of Amax Estates (also an elected Member of the London Borough of Bexley);
 - vi) David Brown, Partner of Gullands Solicitors

3.0 **CRITERIA FOR SELECTION**

- 3.1 The constitution sets out the following criteria which should be applied when appointing anyone to the Panel, or as in this case when appointing the whole panel.
- 3.2 The extent to which the Panel as a whole –
- (1) Can command public confidence in its impartiality and judgement
 - (2) Is representative of a broad cross-section of local communities
 - (3) Has an appropriate mix of skills and knowledge relevant to the remit, including current knowledge of local government

- 3.3 The credentials of each individual appointee in terms of their –

- (1) Good standing and reputation with the community
- (2) Understanding of public service and/or commercial life and practice
- (3) Knowledge of opinion across the community
- (4) Analytical skills
- (5) Ability to make informed and balanced judgements

4.0 **CONSTITUTIONAL REQUIREMENTS**

- 4.1 The duty to establish or amend the Independent Remuneration Panel is a matter that cannot be determined by Cabinet under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended). The applicable regulations are the Local Authorities (Members Allowances) (England) Regulation 2001.
- 4.2 The Protocol for the Appointment of an Independent Remuneration Panel (annex 3.7 to the Constitution) confirms that the Full Council makes appointments, upon the recommendation of the Standards Committee and following a report from the Monitoring Officer.

4.3 The members of the Independent Remuneration Panel are in post for four years, with the possibility of renewal for one further period.

5.0 THE WAY FORWARD

5.1 As the Constitution restricts membership of the panel to between 3 to 5 members there will need to be a selection process.

5.2 In order to speed up what could be a very lengthy and protracted process the monitoring officer proposes that he will contact each of the candidates and applying the criteria set out in paragraph 3.0 above select the most suitable candidates for the role.

5.3 The Monitoring Officer will then report back to the standards committee setting out his findings, having satisfied himself that the constitutional criteria have been met.

6.0 BACKGROUND PAPERS

6.1 None

Anyone wishing to inspect background papers should, in the first place, be directed to Committee & Electoral Services who will make the necessary arrangements.

IMPLICATIONS This report deals with the appointment of members to the statutory Independent Remuneration Panel.			
Legal	As set out in the main body of this report, this is a decision to be made by Council following a report to Standards Committee by the Monitoring Officer.		
Finance and Value for Money	None		
Risk Assessment	There is no particular risk attendant upon appointing a member of the Independent Remuneration Panel, however it is possible that an may subsequently become (or be found to have been) ineligible for appointment. At that point a termination of office followed by a new appointment will be necessary.		
Equality Impact Assessment	Screening for Equality Impacts		
	Question	Answer	Explanation
	a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	No. Groups are consulted widely
	b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	The decision is made following a statutory process and involves wide consultation of diverse and often disadvantaged groups.
	c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		
Corporate Plan	Managing the Councils business responsibility		
Crime and Disorder	There are no impacts identified		
Digital and website implications			
Safeguarding children and vulnerable adults			