

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Council
Date: 12 April 2022
Reporting officer: Monitoring Officer
Subject: Independent Remuneration Panel

Purpose and summary of report:

To re-appoint two of the existing Members and one new Member to the Independent Remuneration Panel for a period of four years. This will enable the 2022 review of the Members' Allowances Scheme to be carried out in a timely manner.

Recommendations:

1. That the following persons be appointed to serve on the Independent Remuneration Panel, with their term of office expiring on 1 April 2026:-
 - Jag Sidhu, Director of Nick Building Contractors Ltd;
 - Jasvinder Gill, Senior Partner of Hatten Wyatt Solicitors; and
 - Julie Hobson, Partner of Gullands Solicitors.
2. That a review of the Members' Allowances Scheme be commenced immediately with a report being submitted to a future meeting of the Council setting out the Independent Remuneration Panel's recommendations.

| Key Implications: | |
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| Item | Implications |
| Legal | Local authorities are required to establish and maintain an Independent Remuneration Panel (IRP) to comply with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003. The primary function of the IRP is to make recommendations to the Council in respect of its Members' Allowances Scheme including basic allowances, special responsibility allowances, travel and subsistence and childcare/dependent carers' allowances. |
| Finance and Value for Money | The Local Authorities (Members' Allowances) (England) Regulations 2003 allow for appropriate expenses incurred by an IRP established under paragraph (1)(a) or (1)(b) in carrying out its functions and may pay the Members of the Panel such allowances or expenses. There could also be budget implications in the future if the Council, at a future meeting, resolved to approve any |

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| | recommended amendments, made by the Panel, to the level of allowances provided to Members. |
| Corporate Plan | #3 Progress - Successfully Manage Key Business Risks: embed a culture of compliance with all policy, constitutional and legislative demands. |
| Climate Change | There are no specific climate change implications resulting from this report. |

1. Introduction

- 1.1 Local authorities are required to establish and maintain an Independent Remuneration Panel (IRP) to comply with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003. The primary function of the IRP is to make recommendations to the Council in respect of its Members' Allowances Scheme including basic allowances, special responsibility allowances, travel and subsistence and childcare/dependent carers' allowances.
- 1.2 The last review of the Members' Allowances Scheme was undertaken in 2017. One of the recommendations of the IRP, approved by the Council, was that the allowances be increased in line with any pay awards given to Gravesham Borough Council staff. The Regulations state that *'Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme'*. Therefore, as the allowances have been adjusted annually over the last four years, the Council is now required to review its scheme.

2. Independent Remuneration Panel

- 2.1 The IRP was appointed by the Council in 2016, the Members of the Panel were: -
 - Idowu Anthony-Ajileye, Tonidol (UK) Ltd;
 - Jag Sidhu, Director of Nick Building Contractors Ltd;
 - Jasvinder Gill, Senior Partner of Hatten Wyatt Solicitors; and
 - David Brown, Partner of Gullands Solicitors.
- 2.2 The terms of office of the Panel have now expired therefore a new Panel needs to be appointed in order to carry out the 2022 review.
- 2.3 The Panel must comprise of no less than three and no more than five persons, none of whom is formally connected with the Council, has a publicly declared political affiliation and/or has been found guilty of a criminal offence. They must not, however, be disqualified from being a member of a local authority. The Panel must be independent, well-qualified to discharge its functions and be representative of a broad cross-section of local communities.
- 2.4 Persons appointed to the Panel may each serve for a period of four years from the date of their appointment and 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.

- 2.5 The Protocol for the Appointment of an IRP is set out in Annex 3.7 of the Council's Constitution.
- 2.6 Two of the existing Members of the IRP have indicated a willingness to serve on the Panel for a further four-year term. Approval of their re-appointment would enable them to use their existing experience to carry out the 2022 review and make recommendations to the Council in a timely manner.
- 2.7 David Brown no longer works at the Gravesend Branch of Gullands Solicitors and has put forward Julie Hobson for consideration as she is now the Head of the Gravesend Branch. It is proposed that Julie Hobson be appointed to the IRP.

3. Timetable of the 2022 review

- 3.1 Subject to the Council's approval of the recommendations, work on the 2022 review will commence immediately. It is proposed that a desktop study be undertaken to allow the IRP to review a wide range of information including the committee meetings schedules, benchmarking data, statutory guidance and relevant regulations etc. On conclusion of the review, the Panel will submit a report to council in May setting out its recommendations.

4. Appendices

- 4.1 There are no appendices.

5. Background Documents

- 5.1 The following background documents were used:
 - Standards Committee – 27 July and 27 September 2016;
 - Council – 11 October 2016 and 21 February 2017; and
 - Annexes 1.19 and 3.7 of the Council's Constitution.

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| Secondary Implications | |
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| Risk Assessment | There is no particular risk attendant upon appointing a Member of the IRP, however it is possible that a Member 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. |
| Data Protection Impact Assessment | <p><i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i></p> <p>a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data? A definition of each type of data can be found on the Information Commissioner's Office website via the above links. No</p> <p>b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? N/A</p> <p>c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdpr@medway.gov.uk. N/A</p> |
| Equality Impact Assessment | <p>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? If yes, please explain answer. N/A</p> <p>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. The IRP is representative of a broad cross-section of local communities.</p> <p><i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i></p> |
| Crime and Disorder | There are no specific crime and disorder implications resulting from this report. |
| Digital and website implications | Any decisions taken will be published on the Gravesham Borough Council website. |
| Safeguarding children and vulnerable adults | There are no specific safeguarding children and vulnerable adults implications resulting from this report. |