

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Council
Date: 17 October 2023
Reporting officer: Monitoring Officer
Subject: Appointments to the Independent Remuneration Panel

Purpose and summary of report:

To confirm the results of the recruitment and selection process and make the necessary recommendation to Full Council. This will enable the 2023 review of the Members' Allowances Scheme to be carried out in a timely manner.

Recommendations:

1. That, the Council terminates the appointment of one of its current Panel Members, Mr Jag Sidhu, due to him being unable to devote the time required to the Panel due to work pressures;
2. That the following persons be appointed to serve on the Independent Remuneration Panel, with their term of office expiring on 1 October 2027:-

Ms Claudette Bramble
Mr Kevin Burbidge
Mr Jason Owen
3. That a review of the Members' Allowances Scheme be commenced immediately with a report being submitted to Full Council on 5 December 2023 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. |

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| | Any budgetary implications of recommendations made by the Independent Remuneration Panel will be presented to Full Council alongside the proposals made as part of the decision-making process. |
| 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 Persons appointed to the IRP 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 current IRP was appointed by the Council in April 2022 and consists of three Members; Mr Jag Sidhu (currently serving his second term), Mr Jasvinder Gill (currently serving his second term) and Ms Julie Hobson.
- 1.4 The Panel must comprise of no less than three and no more than five Members; the quorate being three Members. Having a full quota of five Members would provide the Council with flexibility in setting up a Panel if one or two Members are unable to attend. Also, should one or two Members wish to stand down, the Panel will still be properly constituted and will continue to function.

2. Procedure for making appointments

- 2.1 The Protocol for the 'Appointment of an IRP' is set out in Annex 3.7 of the Council's Constitution.
- 2.2 The Council 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 Council may also consult via local media.
- 2.3 An advert was published at the beginning of July 2023 and a wide consultation took place which included the advert being promoted via:-
 - the Council's website;
 - JobsGoPublic which is a public sector job board/website;
 - the Council's social media platforms;
 - Business Network;
 - Community and Faith Groups;

- Community Award Winners (from 2021 to 2023);
- Booking contacts for community/faith premises;
- Gravesham Street Champions; and
- individuals with various voluntary, faith, community and/or public service interests.

A number of the groups listed above also shared the advert via their own social media platforms.

- 2.4 The consultation activity generated a sufficient level of nominations for the Council to proceed with the selection and appointment process.

3. Criteria for selection

- 3.1 The Constitution sets out the following criteria which should be applied when appointing, both individually and collectively:-

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 their remit, including current knowledge of local government.

The credentials of each individual appointee in terms of their:-

1. good standing and reputation within 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.

- 3.2 The persons may not be appointed to (or remain Members of) the Panel if they are, or have within the previous two years been:-

1. a Member, Co-opted Member or Officer of Gravesham Borough Council;
2. a Member, Co-opted Member or Officer of a Parish Council of which Gravesham Borough Council is the Principal Authority;
3. or a relative or close friend, of a person within the above two paragraphs.

OR

4. in a contractual relationship with Gravesham Borough Council;
5. have a publicly-declared political affiliation, membership of political party or be politically active locally or nationally;
6. have been found guilty of a criminal offence.

- 3.3 There was a clerical error on the advert in that it stated a 5-year restriction for the disqualification criteria, instead of 2-year restriction, however all candidates met the 2-year restriction as set out within the Council's Constitution.

4. Selection Process / Constitutional Requirements

- 4.1 The protocol for appointing or terminating Members of the IRP confirms that Full Council makes the appointments and/or termination, upon the recommendation of the Standards Committee and following a report from the Monitoring Officer.
- 4.2 The Constitution restricts membership of the IRP between three to five members therefore, due to the current membership and the number of applications received, a selection process was undertaken.
- 4.3 The Monitoring Officer in consultation with the Chief Executive and Director (Corporate Services) initially considered the applications received against the criteria set out in section 3 to select the most suitable candidates for the role. The shortlisted candidates were then sent to the Leader of the Council, Leader of the Opposition and Chair of the Standards Committee, on behalf of the Committee, for consideration.
- 4.4 As part of the process, the Leader of the Council, Leader of the Opposition and Chair of the Standards Committee was informed that one of the Council's current IRP Members, Mr Jag Sidhu, is unable to devote the time required to the Panel due to work pressures. Therefore, it was recommended that Mr Jag Sidhu's appointment be terminated and the Council seeks to appoint three new Members (instead of two Members).
- 4.5 The Monitoring Officer in consultation with the Leader of the Council, Leader of the Opposition and Chair of the Standards Committee, was of the opinion that the following applicants meet the criteria to serve as Members of the IRP therefore recommending their appointment to Full Council:-

Ms Claudette Bramble
Mr Kevin Burbidge
Mr Jason Owen

5. Timetable of the 2023 review

- 5.1 The IRP met in April 2022 to consider the Members' Allowances Scheme. The recommendation, which was approved by Council, was that there be no change to the scheme until after the Local Elections in May 2023, at which time a further review of the scheme be undertaken by the IRP and the existing arrangement for the annual indexation of basic and special responsibility allowances, in line with the nationally negotiated pay awards given to Gravesham Borough Council Staff, be continued.
- 5.2 Subject to the Council's approval of the recommendations, work on the 2023 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 Full Council on 5 December 2023 setting out its recommendations.

6. Appendices

- 6.1 There are no appendices.

7. Background Documents

7.1 The following background documents were used:

- Standards Committee – 27 July and 27 September 2016;
- Council – 11 October 2016, 21 February 2017, 12 April 2022 and 21 June 2022; 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's website. |
| Safeguarding children and vulnerable adults | There are no specific safeguarding children and vulnerable adults implications resulting from this report. |