

## East Kent Joint Independent Remuneration Panel

### Background

The Council is required to appoint an Independent Remuneration Panel under the Local Authorities (Members' Allowances) (England) Regulations 2003 for the purpose of making recommendations to the Council in respect of its Members' Allowances Scheme.

Since 2002 the Council has operated a Joint Independent Remuneration Panel with neighbouring authorities and in 2007 the first East Kent Joint Independent Remuneration Panel was formed by Dover District Council, Shepway District Council and Thanet District Council. The current Panel was formed in 2008 and consists of 5 members appointed jointly by Canterbury City Council, Dover District Council and Thanet District Council. The term of office of the current Panel members expires on 30 November 2019.

### Panel Arrangements

The key responsibilities of the Panel as set out in the Regulations are to make recommendations as to the responsibilities or duties in respect of which the following allowances should be made available and the amount of allowance:

- Basic Allowance
- Special Responsibility Allowances
- Member Travel and Subsistence allowances
- Dependent Carers Allowances
- Index linking arrangements for allowances.

The Council has a duty to have regard to the recommendations of the Panel when making a decision in respect of any of the allowances set out above but does not have to adopt the recommendations of the Panel.

In addition, the Panel also makes recommendations to Town and Parish Council's in respect of the level of Parish Basic Allowance and Parish Chairman's allowance.

The Regulations require that the Panel be composed of "at least three members none of whom... is also a member of an authority in respect of which it makes recommendations... or... is disqualified from being or becoming a member of an authority".

The Panel membership is currently appointed on the following basis:

- 1 member appointed by Canterbury City Council
- 2 member appointed by Dover District Council
- 2 members appointed by Thanet District Council

The quorum for the Panel is 3 members.

The proposed term length of the members of the Panel is for four years, running from 1 December 2019 until 30 November 2023. The Panel will be responsible for appointing its own Chairman from amongst the membership on an annual basis.

It is proposed to reappoint the existing panel for a further term on the basis of the experience they have accumulated and their knowledge of the three authorities allowance schemes. It is suggested that, if the East Kent Joint Independent Remuneration Panel is reappointed in 2023 that the positions be opened to public applications.

The Local Authorities (Members' Allowances) (England) Regulations 2003 make provision for the members of the Panel to be paid an allowance and expenses for carrying out the Panel's functions at a level the authorities determine.

The current allowance arrangements for the members of the East Kent Joint Independent Remuneration Panel were set in 2007. Each Panel member receives an allowance of £300 per annum plus an attendance fee of £75 per meeting. A further allowance of £250 per annum is paid to the Panel's Chairman. The costs of the Panel members' allowances are split equally between the partner authorities.

It is not proposed to change the allowance arrangements for the members of the Panel for the duration of the term of office running until 30 November 2023.

The Central administrative support for the Panel is currently provided by Dover District Council's Democratic Services team and it is proposed that this will continue.

## **Terms of Reference**

# **CONSTITUTION OF THE EAST KENT JOINT INDEPENDENT REMUNERATION PANELS**

Canterbury City Council, Dover District Council and Thanet District Council (the 'partner authorities') have established a Joint District Independent Remuneration Panel and a Joint Parish Independent Remuneration Panel to make recommendations on remuneration levels for District and Town/Parish Councillors.

## **1. Terms of Reference**

- (a) The Terms of Reference of the Panels shall be:
  - (i) to make recommendations to each District and Town/Parish authority as to the amount of basic allowance which should be payable to its elected and co-opted members;
  - (ii) to make recommendations to each District and Town/Parish authority about the roles and responsibilities for which a special allowance should be payable and as to the amount of each such allowance;
  - (iii) to make recommendations as to whether each District and Town/Parish authority's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependants and if it does make such a recommendation, the amount of this allowance and the means by which it is determined;
  - (iv) to make recommendations to each District and Town/Parish authority about a members' pension scheme;
  - (v) to make recommendations to each District and Town/Parish authority as to the amount of travel and subsistence allowance payable to elected and co-opted members.

## **2. Recommendations of the Panel**

- (a) In making its recommendations, the Panels be asked to include guidance on what is to be encompassed by the allowance and it will have regard to the following principles:

- (i) the Panels shall make separate recommendations to each authority if it is deemed appropriate;
- (ii) recommendations should conform with existing legislation (and anticipate likely future legislation so far as possible);
- (iii) recognition of the principle that the work of a Councillor is undertaken for the sake of public service and not for personal gain;
- (iv) recognition that the demands placed upon Councillors by their differing roles and responsibilities within the Council
- (v) the need to fairly and equitably compensate Councillors so far as the Panels thinks appropriate for the time and effort devoted to their work as a member of the Council and/or the time and effort which they can reasonably be expected to devote;
- (vi) that individual Councillors should not be disadvantaged by virtue of the ward or party (if any) which they represent, or the geographic spread within the District of the places where Council business is conducted;
- (vii) an allowance scheme should be transparent, economic, efficient and effective to administer and easy to explain, understand and justify to the local communities within the District.

### 3. **Panel Membership and Appointment**

- (a) The membership of the District Independent Remuneration Panel and the Parish Independent Remuneration Panel shall be the same.
- (b) Each partner authority shall appoint up to two representatives to serve on the panels.
- (c) The members of the Panels should receive the following allowances, to be reviewed every four years:
  - Chairman: Supplement of £250 per annum
  - Panel Member: £300 per annum
  - Meeting Fee: £75 per meeting
- (d) Wherever possible, the members of the Panels shall be treated as separate and independent consultants who are responsible for their own tax, National Insurance, etc.
- (e) The respective partner authorities should carry out recruitment of the members of the panels. Recruitment should be by either public advertisement or direct approach to appropriate individuals or business/community/voluntary sector organisations that command local respect and public confidence and would be able to nominate persons who should have the necessary skills, integrity, independence and who are recognisable members of the local business and voluntary/community sectors within their respective areas.

- (f) A person specification shall be drawn up and agreed to ensure that candidates who are appointed:
  - (i) Are able to demonstrate a high degree of personal integrity;
  - (ii) Are not members of any local authority and are not disqualified from being or becoming a member of a local authority;
  - (iii) Have, if possible, the appropriate level of skill, knowledge and understanding of setting remunerations;
  - (iv) Have the necessary time and commitment for the role;
  - (v) Will disclose the extent of their connections to a political party and whether these are such as to risk the effective discharge of the panel's functions were the candidate to be appointed.
- (c) Terms of appointment shall include a provision for removal from office in circumstances where:
  - (i) the member of the Panel is disqualified from being a member of an authority or guilty of any conduct which brings the office into disrepute eg being found guilty of a criminal offence, an act of dishonesty or other serious misconduct;
  - (ii) the member of the Panel is guilty of lack of diligence or incompetence;
  - (iii) the member becomes an elected or co-opted member [or an employee] of a local authority;
  - (vi) a member of the Panel shall only be removed from office by the appointing partner authority, except at the expiration of a member of the Panels term of office.

#### **4. Panel Operating Rules**

- (a) The Panel's Term of Office shall commence from 1 December 2015.
- (b) The Panel shall:
  - (i) appoint its own Chairman at the first meeting of each municipal year;
  - (ii) require a quorum of three at all meetings;
  - (iii) Meet a minimum of once per municipal year, with additional meetings convened at the request of any partner authority;
  - (iv) otherwise devise its own rules for the conduct of meetings providing that such are consistent with legislative requirements and good governance practice.

#### **5. Responsibilities of the Partner Authorities**

- (a) The partner authorities in the Panel shall:

- (i) Share equally the cost of the above allowances and expenses of the panel.
- (ii) Appoint Dover District Council to provide the administrative support of the Panel at a cost of £1,200 per partner authority per annum.
- (iii) In the event that a partner authority wishes to change the administrative support arrangements for the Panel, notice must be given in writing no later than three months before the end of the financial year, to take effect from the start of the next financial year.
- (iv) Dover District Council, or the member authority providing administrative support if different, will produce the final report in conjunction with the Chairman of the Panel setting out the recommendations to the member authorities.

**6. Termination of Participation in the East Kent Joint IRP by a member authority**

In the event that a partner authority wishes to end its participation in the Panel, notice must be given in writing no later than three months before the end of the financial year, to take effect from the start of the next financial year.