

# Agenda Item 10



County Council

## Open Report on behalf of Richard Wills, Executive Director Responsible for Democratic Services

Report to:	<b>County Council</b>
Date:	<b>15 December 2017</b>
Subject:	<b>Appointments to Lincolnshire County Council's Independent Remuneration Panel</b>

### **Summary:**

This report seeks to appoint two additional members to the Lincolnshire County Council Independent Remuneration Panel.

### **Recommendation(s):**

That the Council appoints Messrs Richard Quirk RVM and Philip Knowles to the Lincolnshire County Council Independent Remuneration Panel.

### **1. Background**

Councillors are reminded that under the Local Authorities (Members Allowances) (England) Regulations 2003, Councils are required to establish and maintain an Independent Remuneration Panel (IRP) to advise on its Members' Allowances Scheme.

The Panel makes recommendations to the Council on the level of Basic Allowance for all members, on the level of Special Responsibility Allowance and to whom they should be paid and on whether dependents' carers' allowance, travel and subsistence allowances and co-optees' allowance should be paid and the levels of those allowances.

The last fundamental review of the Members' Allowances Scheme at Lincolnshire County Council was carried out in 2014, and the IRP made a number of recommendations to Council concerning the scheme.

These recommendations included the suggestion that allowances in the scheme should be increased annually by the average percentage increase in pay for employees covered by the National Joint Council for Local Government Services for the previous 12 months (usually referred to as Green Book employees).

The 2003 Regulations allow indexing for a maximum of four years and also require that Council votes to adopt a Scheme of Members' Allowances each year. That

four year period expires in May 2018 and so the IRP felt it was appropriate to review the scheme at the same time as reviewing the indexing.

Membership of the IRP currently stands at three, which is the statutory minimum, following two resignations. The terms of reference of the panel state that the preferred size of the IRP is five members. The existing members of the panel have therefore agreed to recruit to the two vacancies.

Following a recruitment exercise carried out by council officers it is recommended that Mr Richard Quirk RVM of Scampton and Mr Philip Knowles of Bourne are appointed to the panel.

Mr Quirk has experience as a current member of the West Lindsey District Council Independent Remuneration Panel. He is a trained Armed Forces Service Auditor. Mr Knowles is a Bourne town councillor with wide experience in personnel roles and as a former non-Executive Director of the Royal Liver Assurance Group, served on its remuneration committee.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- \* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- \* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having

due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The process by which the proposed new members have been selected has been open to all regardless of protected characteristics. The recommendations of the Panel must have regard to the Equality Act duties

#### Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The JSNA and JHWS have been considered and there is no direct implication for either of this decision.

#### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

The section 17 matters have been considered and there is no direct implication for those matters of this decision.

### **3. Conclusion**

The Council is required to make a Members' Allowances Scheme every year. In doing so it must have regard to the recommendations of its IRP.

The preferred size of the IRP is five, which requires the Council to appoint two additional members to the panel to join the three existing members.

#### **4. Legal Comments:**

The County Council must establish an Independent Remuneration Panel under the Local Authorities (Members Allowances) (England) Regulations 2003. The Panel must consist of at least 3 individuals. There is no upper limit.

The terms of reference of the Panel identify 5 as the preferred membership. The Report invites the Council to appoint two new members to the IRP.

As the role of the IRP is to advise the whole Council on the Scheme of Members Allowances which is a full Council function, the decision is within the remit of the full Council.

#### **5. Resource Comments:**

There are no material financial implications arising from acceptance of the recommendation in this report.

### **6. Consultation**

#### **a) Has Local Member Been Consulted?**

n/a

#### **b) Has Executive Councillor Been Consulted?**

n/a

#### **c) Scrutiny Comments**

n/a

#### **d) Have Risks and Impact Analysis been carried out??**

Yes

#### **e) Risks and Impact Analysis**

Risks associated with this decision are considered to be minimal

### **7. Background Papers**

Document title	Where the document can be viewed
Local Authorities (Members Allowances)(England) Regulations 2003	Democratic Services

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