

SC/013/10

Committee The Essex County Council and Essex Fire Authority Joint Standards Committee

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Members Allowances Scheme – Implications for the Standards Committee

1. Purpose of the Report

To bring to the Committee's attention the arrangements contained in the revised County Council Members Allowances Scheme that have implications for it and for the Committee to give some initial consideration as to how it wants to deal with them.

2. Background

The Local Authorities (Members' Allowances) (England) Regulations 2003 require each Local Authority to make a scheme for the payment of allowances to its Members. The Regulations require that, before making or amending a scheme, the authority must have regard to the findings of an Independent Remuneration Panel (IRP). On 11 May the County Council agreed a revised Scheme of Allowances based largely but not completely on the recommendations of its Independent Remuneration Panel.

The scheme has been revised to take account of the new provisions and rates and to provide greater transparency both for members themselves who have wanted that transparency and for the public. It makes clearer what is covered by the Basic and Special Responsibility Allowances, what can and cannot be claimed and provides greater clarity about what constitutes an approved duty.

3. Arrangements having implications for the Standards Committee

- Members with a physical disability which restricts their ability to access some types of transport should, where agreed by the Standards Committee, be able to claim for specific travel expenses according to their needs.
- Members with care responsibilities in respect of dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance will be reimbursed, on production of valid receipts, for actual payments to a carer while the Member is on approved Council duties. A carer who is a member of the

claimant Member's household will not be reimbursed. In cases of difficulty the matter should be referred to the Standards Committee for decision.

- As recommended by the Independent Remuneration Panel, to provide a clear understanding of the various roles elected members undertake in serving their communities, role descriptions have been produced. Members should be guided by the role descriptions in carrying out their duties. In addition the Panel also recommended that Members should prepare a publicly available annual statement which highlights their achievements and activities throughout the year. These reports will also be submitted to the Standards Committee. As members are just about to complete the first year of their current term of office, they have been asked to produce their first annual report.
- In exceptional circumstances, where a member is judged to be conspicuously failing to perform, the Standards Committee may recommend the non-payment of allowances due.

The first two require the Committee to act as an appeal committee. Based on present experience, it is unlikely that there will be much demand for this. As Michael Goodswen hinted at the last meeting this is not something that warrants bringing in front of the whole Committee should there ever be such an appeal.

No guidance was given by the Independent Review Panel on what it expected the Committee to do once it had received the annual reports referred to in the third bullet above. At the very least the Committee can make sure that all members comply, that all the reports are of a reasonable standard and commend examples of good practice.

In the unlikely event of the Committee being asked to give a ruling on a member alleged to be conspicuously failing to perform, a process similar to dealing with an alleged breach of the code of conduct might be employed.

4. Action to be taken

The Committee is asked to consider what action it wants taken in order for it to be able to deal with the matters identified above.