

The Welland Partnership Remuneration Panel

Report to Melton Council Meeting

Allowances for “Parish Representatives” undertaking duties in relation to allegations of misconduct by Parish Councillors

1. Background

- 1.1 The Local Government (Members’ Allowances) 2003 Regulations put in place a consolidated and simplified framework for allowances that covers Principal Councils and Parish and Town Councils.
- 1.2 Part 4 of the Regulations makes provision for the establishment of an Independent Panel to make recommendations concerning Allowances. The Welland Remuneration Panel – comprising John Cade (Chairman), Collette Eames, John Greenwood and Gordon Wells – is compliant with the necessary arrangements.
- 1.3 The other element of legislation which is relevant to this report is Section 28(7)(iii) of Chapter 7 of the Localism Act 2011 which deals with Standards. This requires that, when an allegation of inappropriate behaviour by a Parish Councillor is made, the arrangements for considering that allegation must include a Parish Council representative.

2. Context

- 2.1 We were requested by Melton Council to consider an Allowance for a “Parish Representative” for when they are involved with the Council’s Governance Sub-Committee and Monitoring Officer in considering allegations of misconduct.
- 2.2 For this purpose we met at Parkside on 12th November 2014.

- 2.3 At our meeting we first heard from Angela Tebbutt, Monitoring Officer, on the role the “Parish Representative” undertook in the Council’s Member Code of Conduct Complaints process. We also had a written submission from Peter Holbrook and Phil Dorn
- 2.4 We are very grateful to Angela, Peter and Phil for their evidence. We would also like to extend our appreciation again to Sarah Evans for the excellent support she gave us at the meeting.

3. Findings

- 3.1 The starting point for our work was the knowledge that Melton Council had already agreed and implemented our earlier recommendation that the “Independent Persons” who are involved in considering allegations of inappropriate behaviour by Councillors receive an Allowance similar to that previously allocated to those who served on the Standards Committee. This is currently £462 per annum and is index linked to NJC Officer pay awards.
- 3.2 What we wanted to explore was how the work of the “Parish Representative” compared with that of the “Independent Person”.
- 3.3 The Council has agreed to have 3 “Parish Representatives” and they are appointed by the Melton branch of the Leicestershire and Rutland Association of Local Councils and Melton Council has no involvement in their appointment.
- 3.4 Subject to their availability, one of the three “Parish Representatives” is asked to provide a verbal view on each Parish Councillor allegation at Stages 1 and 2 of the Council’s Code of Conduct Complaints process.
- 3.5 We were advised that, whilst demanding, this was less onerous than that required of the “Independent Person” who is required to provide a written opinion as part of the Governance Sub-Committee’s papers.

- 3.6 That said, the role still carries really important responsibilities, including proper consideration of all relevant papers and attendance at the Governance Sub-Committee meeting. There is also the need for training. And, of course, this could put the “Parish Representative” in a position where there is a loss of earnings for the time spent on this area of Council business.
- 3.7 And, critically, this public service is crucial to the Council and its complaints process as not having a “Parish Representative” at a Sub-Committee when dealing with a Parish matter would make any decision subject to challenge.

4. Conclusions

- 4.1 We, therefore, came to the opinion that the “Parish Representative” should receive an Allowance, but with the responsibility being slightly less than the “Independent Person”, it should be set at a slightly lower monetary value.
- 4.2 From the evidence we received we took the view that the responsibility level of the “Parish Representative” compared with the “Independent Person” was towards the 70% mark. The “Independent Person” currently receives £462 per annum so this would equate to an Allowance for the “Parish Representative” of £300.
- 4.3 This Allowance would be conditional upon the “Parish Representatives” being equally available to assist with allegations of misconduct and also attending any training courses provided by Melton Council. It is particularly important that they are familiar with Melton’s Code of Conduct Complaints process.
- 4.4 Up to this moment in time, it is understood that one of the three “Parish Representatives” has undertaken all the duties.

5. Recommendations

- 5.1 That “Parish Representatives” required to be involved in considering allegations of inappropriate behaviour by a Parish Councillor receive an annual allowance of £300.
- 5.2 That this Allowance be payable with immediate effect and be index linked to NJC Officer pay awards.
- 5.3 That, in recognition of the fact that one “Parish Representative” has undertaken these duties to date, he receive a one-off payment of £300.

John Cade Chairman

Welland Independent Remuneration Panel