

Report to:	Council	Date of Meeting:	Thursday 15 July 2021
Subject:	Appointments to the Roles of Independent Person and Independent Remuneration Panel Member and Co-opted Members of Audit and Governance Sub-Committees		
Report of:	Chief Legal and Democratic Officer	Wards Affected:	(All Wards);
Portfolio:	Regulatory, Compliance and Corporate Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To provide details of the Proposed Appointment of Independent Persons and Independent Remuneration Panel Members.

Recommendation(s): That the Council approves

- (1) the appointments to the roles of Independent Remuneration Panel Member and Independent Person as set out in paragraphs 2.5 and 3.2, to the report be approved; and
- (2) the appointment of Parish Councillor Judith Daley, Sefton and Lunt Villages Parish Council, Parish Councillor Peter Gill, Aintree Village Parish Council Town Councillor Jonathan Desmond, Maghull Town Council and Parish Councillor Ron Baker, Melling Parish Council to the position of co-opted member of the Audit and Governance Sub-Committees, as detailed in paragraphs 1.3 to 1.5 to the report be approved.

Reasons for the Recommendation(s):

To comply with the requirements of the Council's Constitution.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

None

(B) Capital Costs

None

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):	
None	
Legal Implications:	
This paper will ensure that the Council complies with appropriate legislation	
Equality Implications:	
There are no equality implications.	
Climate Emergency Implications:	
The recommendations within this report will	
Have a positive impact	N
Have a neutral impact	N
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y

Contribution to the Council's Core Purpose:

Protect the most vulnerable: N/A
Facilitate confident and resilient communities: N/A
Commission, broker and provide core services: N/A
Place – leadership and influencer: The proposals will ensure that the appointments are made in accordance with the Council Constitution
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: N/A
Greater income for social investment: N/A
Cleaner Greener: N/A

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.6448/21.....) and the Chief Legal and Democratic Officer (LD.4649/21.....) have been consulted and any comments have been incorporated into the report.

Immediately following the Council meeting.

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Appendices:

There are no appendices to this report

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 The Council is required to appoint Independent Persons to the Independent Remuneration Panel whereby a Panel of at least 3 Independent Members is required to be formed in order that the Scheme of Members Allowances and other associated issues in that respect maybe considered, as detailed in paragraph 2 to the report.
- 1.2 The Council is also required to appoint Independent Persons to serve on the Councils Audit and Governance Hearings Sub-Committee, Appeals Committee and its Employment Procedure Committee, as detailed in paragraph 3 to the report.
- 1.3 The Council also has a responsibility to hear complaints that have been made relating to the conduct of a Parish Councillor. If any complaints are submitted in respect of the conduct of any Parish Councillor in the Borough, one of the co-opted Parish Councillors from the nominated panel will be selected to form part of the 3 Member Panel on Audit and Governance Sub-Committees. The Council has therefore approached each Parish Council for one nomination to serve as a Member on the Audit and Governance Sub Committees.
- 1.4 A number of responses have been received from Parish/Town Councils and the following nominations have been made:
 - Parish Councillor Judith Daley – Sefton and Lunt Villages PC
 - Parish Councillor Peter Gill – Aintree Village PC
 - Town Councillor Jonathan Desmond – Maghull TC
 - Parish Councillor Ron Baker – Melling PC
- 1.5 It is recommended that the above Parish/Town Councillors be appointed as co-opted members of Audit and Governance Sub-Committees to consider complaints about the conduct of Parish/Town Councillors within Sefton.

2.0 Appointment of Members to serve on the Independent Remuneration Panel

- 2.1 The 1989 Local Government and Housing Act requires local authorities to establish and maintain a Scheme for Members' Allowances. The basic provisions of the Act have been fleshed out in subsequent Regulations. The 1991 Regulations provide that it is for each local authority to decide its Scheme and the amounts to be paid under that Scheme.
- 2.2 The Local Authorities (Members' Allowances) (England) Regulations 2003 required Councils to establish and maintain an Independent Remuneration Panel or Members' Allowances Panel. The purpose of the Panel is to make recommendations to the authority about the allowances to be paid to elected Members. Local authorities must have regard to this advice when agreeing a Scheme of Allowances.
- 2.3 The Regulations set out that a Members' Allowances Scheme can provide for the

following allowances to be payable to elected Members of local authorities:

- Basic Allowance
- Special Responsibility Allowance
- Childcare and Dependent Carers' Allowance
- Travel and Subsistence Allowance.

2.4 Sefton Council currently has two members appointed to its Independent Remuneration Panel. The minimum number of Members required to form a panel is three and so there is a requirement to appoint to the position in order that a panel can be formed as and when necessary.

2.5 The Democratic Services Manager and Senior Democratic Services Officer interviewed 6 candidates, 4 of whom have been appointed subject to references and Council approval:

- Isobel McDonald Davies
- Tony Hussey
- Joanne Hadley
- Susan Murphy

2.6 Appointing four Members to the Panel will allow for an element of flexibility should there be an issue with attendance giving greater reassurance that a Panel could be formed when required.

3.0 Appointment of Members to serve as an Independent Person (Standards Issues)

3.1 The Council currently has one appointed Independent Person which doesn't provide flexibility in the system when or if a Meeting was required to be called and the only appointed person couldn't attend. There is a need to appoint more persons to the position.

3.1 An Independent Person is a statutory position which is designed to provide a further level of independence and objectivity to corporate governance issues. The Independent Person will work closely with the Monitoring Officer and the Council's Audit and Governance Hearing Sub-Committee. The Independent Person will also be involved in the Council's Appeals Committee and Employment Procedure Committee should the need arise to consider disciplinary action and or dismissal of a statutory officer.

3.2 The Democratic Services Manager and Senior Democratic Services Officer interviewed 7 candidates, 3 of whom have been appointed subject to references and Council approval:

- Isobel McDonald Davies
- Joanne Hadley; and
- Andrew Pearson

3.3 The Council is required to appoint Independent Persons to the Independent Remuneration Panel and Independent Persons to assist with the Councils Standards regime.