



Meeting: **Constitution Committee**

Date/Time: **Friday, 22 November 2019 at 3.30 pm**

Location: **Executive Committee Room, County Hall, Glenfield**

Contact: **Mrs J. Twomey (Tel: 0116 305 2583)**

Email: **joanne.twomey@leics.gov.uk**

Membership

Mr. N. J. Rushton CC (Chairman)

Dr. T. Eynon CC Mr. J. B. Rhodes CC
Mr. S. J. Galton CC Mr. R. J. Shepherd CC

AGENDA

<u>Item</u>	<u>Report by</u>	
1. Minutes of the meeting held on 13 September 2019		(Pages 3 - 4)
2. Question Time.		
3. Questions asked under Standing Order 7(3) and 7(5).		
4. To advise of any other items which the Chairman has decided to take as urgent.		
5. Declarations of interest.		
6. Report of the Independent Remuneration Panel on Member Annual Reports and Group Whip Allowances	Chief Executive	(Pages 5 - 18)
7. Any other items which the Chairman has decided to take as urgent.		



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Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Friday, 13 September 2019.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Dr. T. Eynon CC
Mr. S. J. Galton CC

Mr. J. B. Rhodes CC
Mr. R. J. Shepherd CC

113. Minutes of the previous meeting.

The minutes of the meeting held on 29 July 2019 were taken as read, confirmed and signed.

114. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

115. Questions asked under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

116. To advise of any other items which the Chairman has decided to take as urgent.

There were no urgent items for consideration.

117. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

118. Review and Revision of the Constitution.

The Committee considered a report of the Chief Executive which proposed amendments to the County Council's constitution as part of the 2019 annual review. A copy of the report marked 'Agenda Item 6' is filed with these minutes.

Whilst members supported the increased number of signatories required for a petition to be considered by the relevant overview and scrutiny committee, some expressed concern that this could lead to residents feeling disengaged and being unable to have their voice heard.

Members agreed that the best approach would be for residents to raise matters through their local member and suggested that where a petition did not have the requisite 1000 signatures, the relevant service Director be required to consult with the local member as well as relevant Cabinet Lead member before responding to a petitioner.

RESOLVED:

That the County Council be recommended to approve the proposed changes to the Constitution as set out in the appendices to the report subject to the additional change now requested to be made to the Petition Scheme.

1212.30 - 12.40 pm
13 September 2019

CHAIRMAN



CONSTITUTION COMMITTEE – 22nd NOVEMBER 2019

REPORT OF THE CHIEF EXECUTIVE

REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBER ANNUAL REPORTS AND GROUP WHIPS' ALLOWANCE

Purpose of the Report

1. The purpose of this report is to present the findings of the Independent Remuneration Panel (the Panel) following its review of the submission of annual reports by members and the group whip allowances since its last meeting in the autumn of 2018. The Committee is invited to consider the report and recommendations to the County Council.

Background

2. The statutory framework for members' allowances includes the following requirements:
 - Each local authority is required to establish and maintain an Independent Remuneration Panel with the function of providing the local authority with advice on its members allowance scheme and the amounts to be paid. Local authorities must have regard to this advice.
 - The approval of a members' allowances scheme has to be determined by the full Council and cannot be delegated to the Cabinet or a committee.
 - A scheme for members' allowances may be amended at any time but may only be revoked at the end of the financial year, i.e. 31 March. A further scheme must be available to replace the revoked scheme.
3. The County Council's Independent Remuneration Panel last met in the autumn of 2018 to review member annual reports and group whip allowances. At that time, it recommended that members should continue to submit an annual report and that group whip allowances should remain at existing levels. This was agreed by the full County Council in December 2018.

4. The Panel further outlined its intention to reconvene in 12 months to review the position. The outcome of that review is as set out in the report appended.
5. Professor David Wilson who had served as Chairman of the Panel since 1999 indicated his wish to resign from the Panel. Using delegated powers the Chief Executive appointed Mr Michael Pearson as Chairman of the Panel and Mr Gordon Grimes as a member of the Panel.

Resources Implications

6. None

Equal Opportunities Implications

7. None

Recommendation

8. The Committee is asked to determine what recommendations it wishes to put forward to the County Council in response to the report of the Independent Remuneration Panel on Member Annual Reports and Group Whips' Allowance.

Background Papers

None.

Circulation Under the Local Issues Alert Procedure

None.

Officers to Contact

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Appendices

Appendix – Report of Independent Remuneration Panel

**REPORT OF THE
INDEPENDENT
REMUNERATION PANEL
ON MEMBER ANNUAL
REPORTS AND GROUP
WHIPS' ALLOWANCE**

OCTOBER 2019

Introduction

1. The County Council is required under the Local Authorities (Members' Allowances) (England) Regulations 2003 to set up and maintain an advisory Independent Remuneration Panel (the Panel) to review and provide advice about the allowances paid to Members.
2. The Panel met in the autumn of 2018 to review Member Annual Reports and Group Whips' allowance and recommended that Members continue to submit an Annual Report and to leave the Group Whips' allowance at its existing level. The Panel's report was agreed and adopted at the full County Council meeting in December 2018.
3. The Panel also stated that it intended to reconvene in the autumn of 2019 to review the outcome of its recommendation regarding the submission of Annual Reports and review the Group Whips Allowance. This report deals with these two aspects.

Membership of the Panel

4. Leicestershire County Council's Independent Remuneration Panel comprises the following:-
 - Michael Pearson –(Chairman) – Former Bursar and Finance Director of Loughborough University.
 - Jayne Kelly – Former Solicitor working with various local authorities.
 - Gordon Grimes – Former HM Revenue and Customs Area Manager.

Support to the Panel

5. The Panel was supported by the Head of Member Services and Head of Democratic Services.

Annual Reports

6. The Panel in 2017 recommended that Members should provide a public account of what they had done during the council year by way of an Annual Report which should be published on the County Council's website. In coming to this view the Panel noted that the job description for Members, Appendix A, made reference to the need for Members to '*explain and account for personal performance as a County Councillor on a regular basis, particularly through the publication of an Annual Report on the Council's website*'. The Panel also took the view that given Members are in receipt of public money through the Basic Allowance they should be open and transparent and report on how they have undertaken their roles and responsibilities for which they are remunerated.

7. To assist Members in writing their Annual Reports the Panel produced a template, Appendix B, which covers amongst other things the following:-
- i) Membership and engagement with local councils, schools and community groups;
 - ii) Engagement with the Council, other statutory bodies and public utility companies (Water, Gas etc.) about services in the area;
 - iii) The key issues dealt with during the year and the impact of these on the local area;
 - iv) Key issues still facing the area;
 - v) Events, fairs and meetings in the local area which help to bring communities and people together for common good/purpose.

However, Members were free to choose how they wrote their Annual Report.

8. The Panel noted that the use of social media has grown significantly and those Members who feel comfortable to do so, should signpost their social media accounts in their Annual Reports.
9. With regard to ensuring that all Members provide an Annual Report the Panel placed a responsibility on each Group Leader and Group Whip to ensure compliance.
10. In 2018 the Panel welcomed the high level of compliance with the request for an Annual Report and reaffirmed its position this practice should continue.

Request for Annual Reports

11. In May 2019 all Members of the Council were asked to submit their Annual Report and were provided with a copy of the template and job description for a councillor. Members were advised that the requirement to submit an Annual Report had been approved by the County Council at its meeting in December 2018 and therefore it was now a Council policy.
12. At the same time as Members were asked to submit their reports Group Leaders and Whips were reminded that the Panel was of the view that it was their responsibility to ensure that all Members of their Group complete and submit a report for publication. To help Group Leaders and Group Whips ensure compliance a weekly update on the progress of submissions by Members of their Group was provided.
13. Member Annual Reports are published on the County Council's website and are accessible :-

from the Member's individual page see link

<http://politics.leics.gov.uk/mgMemberIndex.aspx?bcr=1> and/or

a dedicated page for Member Reports see link

<http://politics.leics.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13200>

The Panel's Review of Annual Reports

14. The Panel met in October 2019 to review the submission of Annual Reports by Members. A total of fifty two out of fifty four Members produced and submitted an Annual Report. The Panel recognised the hard work of Members in producing a report and therefore, wished to put on record its gratitude and thanks to all those Members who took the time to write and submit a report. It also welcomed the County Council's decision that submitting an Annual Report should be Council policy.
15. Whilst pleased at the high response rate the Panel was disappointed that Mr Gamble and Mr Welsh had not submitted a report. The Panel therefore urged the two Members to produce a report thus providing their constituents with a record of their activity for the 2018/19 municipal year.
16. The Panel read the reports and was generally very pleased with the submissions made by Members. The Panel was particularly pleased with those who included their community activities and provided evidence/outcomes in relation to their activities within their division e.g. attending lunch clubs, working with residents to improve safety outside schools and arranging meetings with constituents and developers to discuss concerns. These examples of community activities showed constituents the role Members play as community leaders and community advocates. It also demonstrated how Members were trying to make life better for their communities.
17. With this in mind the Panel has asked for a new heading, Community Activities, be included in the Annual Report template so that Members can provide examples of their community activity. A copy of the revised template is attached as Appendix B.
18. The Panel therefore highlighted the following Members' reports as being good examples where they have highlighted their community activities.
 - Mr. Bill CC
 - Dr. Bremner CC
 - Dr. Eynon CC
 - Dr. Feltham CC
 - Mrs. Hack CC
 - Mr. Hunt CC
 - Mr. Parton CC
 - Mr. O'Shea CC
 - Mrs. Radford CC

- Mrs. M. Wright CC
19. The Panel commended these reports to other Members of the Council as examples to follow when preparing their 2019/20 report.
 20. In recognising the above the Panel also acknowledged that a number of other Member reports had included, albeit briefly, examples of community activities such as attendance at Parish meetings and in one case attendance at a public enquiry.
 21. The Panel also observed that a number of Members stated they communicated with their constituents via other methods during the year e.g. leaflets and parish reports. The Panel noted that whilst the Annual Report template referred to Social Media this should be amended to reference other forms of communications. The revised template is attached as Appendix B.
 22. The Panel recognised that writing Annual Reports which are engaging and readable to members of the public required particular skill sets. The Panel noted that some reports were written in the style of local government reports including acronyms which whilst understood by those in local government would not engage the ordinary reader. The Panel therefore requested officers to explore the possibility of commissioning training to assist Members in writing reports, leaflets and other forms of communication so that it is tailored to the needs of the intended audience. (Officers have begun to explore this and it is hoped to run a workshop in early 2020 in time to assist Members with writing their 2019/20 Annual Reports).
 23. The Panel observed that there were a small number of reports which contained very little content which in the Panel's view probably did not provide a fair reflection of the Member's activity during the year.
 24. The Panel decided that it would not meet in 2020 to review Annual Reports but would reconvene in 2021, after the County Council elections, when it is required to review all Member Allowances.

Recommendations on Annual Reports

The Panel recommends to Council that

- i) Those Members who submitted an Annual Report be thanked for doing so.**
- ii) Those Members who have not submitted an Annual Report for the municipal year 2018/19 do so at the earliest opportunity.**
- iii) That officers investigate what support they can provide Members with regard to writing content for their constituents.**

- iv) **All Members of the County Council be asked to submit an Annual Report for the municipal year 2019/20 for publication on the County Council's website.**

Group Whip Allowance

25. In its 2017 report the Panel recommended that a new Special Responsibility Allowance be paid to Group Whips. The rationale for this allowance was that once the Political Assistants had left the County Council, in February 2018, the Whips would have an increased role in supporting the decision making structure. At that time the extent of the Whips role was not clear and there was a lack of benchmarking data. The Panel therefore recommended a modest allowance of £59.00 per member be paid to the Group Whips from 1st March 2018. This has subsequently increased to £61.40 following the indexation increase across all allowances i.e. employee pay award.
26. The Panel stated in its 2017 report that it would review the level of the allowance in the light of experience and the demands placed on the Group Whips at its meeting in 2018. The Panel when it met in 2018 decided defer that review until this meeting.
27. The Panel considered the allowance payable to Group Whips and in doing so had regard to research undertaken by officers of practice in other authorities, CIPFA comparable, as well as submissions made from each Whip regarding their discharge of the role. The Panel noted that the majority of CIPFA comparable authorities did not pay an allowance to Group Whips and the Group Whips in their submissions did not seek to make a case for any change to the level of allowances paid. In light of this the Panel concluded that the Group Whip allowance should remain at its current rate and would review it again in 2021 along with all other allowances payable to Members.

Recommendations on Group Whip Allowance

The Panel recommends to Council that:-

- i) **The allowance payable to Group Whips continues to be paid at the current rate of £61.40 per Member and increased annually in line with the Local Government Employee Pay award.**

Summary of Recommendations

The Panel recommends to Council that:-

- i) **Those Members who submitted an Annual Report be thanked for doing so.**
- ii) **Those Members who have not submitted an Annual Report for the municipal year 2018/19 do so at the earliest opportunity.**

- iii) **That officers investigate what support they can provide Members with regard to writing content for their constituents.**
- iv) **All Members of the County Council be asked to submit an Annual Report for the municipal year 2019/20 for publication on the County Council's website.**
- v) **The allowance payable to Group Whips continues to be paid at the current rate of £61.40 per Member and increased annually in line with the Local Government Employee Pay award.**



"JOB DESCRIPTION"

THE ROLE AND FUNCTIONS OF MEMBERS OF LEICESTERSHIRE COUNTY COUNCIL

Each County Councillor is elected by the people of a particular electoral division to represent them on Leicestershire County Council. Whilst they each represent a particular part of the County they are also required to represent the interests of the wider Leicestershire community, sometimes on issues which go beyond the County Council's functions or local boundaries.

County Councillors have particular responsibilities for the services provided by the County Council; within a legislative framework they decide what services to provide and how much money to spend on them and ensure that they are delivered efficiently and effectively. The Government and other bodies have issued various guidance as to how councillors should carry out their roles.

KEY TASKS

Representatives

to be accessible to local people (including people who did not vote for them), to advocate their views and to look after their concerns generally;

to explain to people the responsibility and decisions of the County Council and other public services bodies with which the County Council works in partnership; to represent the Council to the community and the community to the Council;

to support and promote citizenship and participation in local democracy generally;

Decision Making and Scrutiny

to attend regularly and take part in meetings of the full County Council, its committees and other bodies;

to develop a good working knowledge of how the County Council operates and to apply this knowledge through:-

- contributing to the formation and scrutiny of the Council's policies, budget strategies and service delivery;
- contributing to the scrutiny and/or performance review of the Council's services and those of other local public bodies;

to participate in the activities of any Party group of which the councillor is a member;

to participate constructively in good governance of the area and to ensure that all duties and actions are carried out in accordance with the highest standards of conduct;

to behave in a manner which maintains public confidence in the County Council and local democracy generally;

to identify any skills or gaps in knowledge and request training and support where required;

to explain and account for personal performance as a County Councillor on a regular basis, particularly through the publication of an Annual Report on the Council's web site.

to fulfil their responsibilities as a corporate parent for children and young people in the care of the local authority.



County Councillor Annual Report

This report summarises the activities of the following member of the County Council during

Name of Councillor

Briefing Note

This form enables you demonstrate to your constituents what you have achieved during the year. The information provided will be published on the County Council's website. The report will be tailored to the response. For example, briefing notes and any unused boxes will be removed

1) Electoral Division activities

Briefing Note

Please specify any particular aspect of your work within your electoral division which you would like to draw attention to. This is an opportunity to set out your main activities, priorities, achievements, challenges etc .which you have been addressing in the past year.

Main Activities and the impact during the past year:

Community Leadership Role

Briefing Note

Please specify particular aspects of your work within your electoral division which you would like to draw attention to. This is an opportunity to set out what you have done to support or improve the communities within your Electoral Division

Engagement with the Council, other statutory bodies and public utility companies (Water, Gas etc) about services in the area

Priorities for the immediate future are:

Briefing Note This is an opportunity to recognise any issues which may be particularly relevant to the future well being of people within your electoral division.

2) Council Activities

Briefing Note

Please specify any particular issues of note that you have been actively involved in connected with the following bodies.

Committees you serve on at County Hall

Local committees/Outside Bodies

Other bodies – School governors/community and charity organisations etc

3) Learning and development:

Briefing Note

Please specify any learning and development activities which you have undertaken during the year.

4) Other Matters:

Briefing Note

This gives an opportunity to include anything else which you think is relevant.

Communications

Briefing Note

This gives an opportunity to explain how you communicate within Electoral Division e.g. Social Media, other forms of communication, Member surgeries.

Signed by Councillor

Date