

## HERTFORDSHIRE COUNTY COUNCIL

### REPORT OF THE INDEPENDENT PANEL ON MEMBERS' ALLOWANCES

June 2003

#### Introduction

1. The Independent Panel comprises:

Colin Couch, Greg Grant, Margaret Jarvis, Don Latham (Chairman),  
David Thomas.

#### Background

2. Earlier this year the Panel produced a report making recommendations for the Scheme of Allowances for 2003/4. The County Council at its meetings on 13 February and 1 April 2003 took those recommendations into account in making its Scheme from 1 April.
3. The Local Authorities (Members' Allowances) (England) Regulations 2003 came into force on 1 May 2003. These require the County Council to make a new Scheme before 30 September 2003 (to run until 31 March 2004) and for the Council to have regard to recommendations from the Independent Panel before doing so.

#### The New Regulations

4. The 2003 Regulations require that a new Scheme be made which sets out the amounts of Basic and Special Responsibility Allowances. They also introduce new requirements and options. The Independent Panel have considered all these elements; and the results of their deliberations are set out in paragraphs 5 – 13 and their recommendations in paragraphs 14 – 18.

#### Panel Considerations

5. *Amount of Basic Allowance.* The Panel note the amount currently paid by the Council and do not propose any change.
6. *Amount of Special Responsibility Allowance.* The Panel note the amounts currently paid and do not propose any changes.
7. *Suspension.* The new Scheme may include provision that if a member is suspended or partially suspended from their duties/responsibilities, allowances payable during the period of suspension may be withheld,

or repayment sought if the money has already been paid. The Panel recommend that such a provision should be included in the Scheme.

8. *Pensions.* The Panel have previously recommended which members should be entitled to join the Pensions Scheme (i.e. all members) and which allowances (i.e. BA, SRA) should be treated as amounts in respect of which payments are made.
9. *Dependants' Carers' Allowance (DCA).* The Panel have already recommended that such an allowance be paid (at a maximum rate of £6 per hour) The Panel notes that the Council has agreed to this and recommends no change.
10. *Travelling and Subsistence Allowance (TSA).* The Panel previously recommended that such an allowance be paid and the amounts thereof. The Council has adopted those recommendations and the Panel recommends no change.
11. *Co-optees' Allowance (CoA).* The new Scheme may provide for allowances to be paid to co-opted members. Amounts may vary between co-optees. If it were paid, the following members would qualify for it:-
  - Children, Schools and Families Scrutiny Committee (6) -  
4 parent governor representatives, 2 church representatives
  - Adult Care & Health Scrutiny Committee (10) -  
5 District Council representatives  
5 Patients Forum representatives
  - Investment Committee (3) – Herts District Council Association appointees
  - Standards Committee (4) – Independent members (one who Chairs the Committee)

Having considered this, the Panel do not recommend that these be paid at the present time, particularly as it is understood that there is currently no budgetary provision to pay such an allowance.

The Panel will look at the issue again when they consider their recommendations for 2004/5.

12. *Use of Indices.* The new Scheme may make provision for annual automatic adjustments to figures by reference to an index specified by the Council. (Such an index cannot be used for more than 4 years without reference back to the Panel.)

The Panel does use an index to calculate what to recommend by way of Basic Allowance. However they do not recommend that this should

be included in the Scheme as an automatic adjustment. The Panel believe that they should consider this on an annual basis to determine whether the index is still appropriate and accurate.

13. *Backdating.* The new Scheme may provide that, where an amendment is made which affects an allowance payable during the year in which it is made, the entitlement to that allowance may apply from the beginning of the year (i.e. it can be backdated). The Panel recommend that such a provision be included in the Scheme.

### **Panel Recommendations**

14. The Panel recommend that if a member is suspended or partially suspended from their duties/responsibilities, that part of their allowances payable during the period of suspension may be withheld, or repayment sought if the money has already been paid.
15. The Panel recommend that Co-optees' Allowance (CoA) be not paid in 2003/4, but that the issue be looked at again in regard to 2004/5.
16. The Panel do not recommend the automatic adjustment of allowances by reference to an index.
17. The Panel recommend that where an amendment is made which affects an allowance payable during the year in which it is made, then the entitlement to that allowance may be backdated.
18. The Panel recommend no change to the amounts currently paid by the Council in respect of:-
  - (a) Basic Allowance (BA)
  - (b) Special Responsibility Allowances (SRA)
  - (c) Dependants' Carers' Allowance (DCA)
  - (d) Travelling & Subsistence Allowance (TSA)

DON LATHAM  
Chairman of the Panel

COLIN COUCH  
GREG GRANT  
MARGARET JARVIS  
DAVID THOMAS

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