

**Meeting of the Full Council**  
**Meeting to be held on Thursday, 25 May 2023**

Report submitted by: Director of Law and Governance

**Part A**

Electoral Division affected:  
None;

**Corporate Priorities:**  
N/A;

**Independent Remuneration Panel Membership and Appointment of Independent Persons**

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**Brief Summary**

This report sets out the proposed appointment of a new member of the Independent Remuneration Panel, following an open recruitment process and interviews conducted by the Chair of the Independent Remuneration Panel, the Head of Service for Legal, Governance and Registration, and the Democratic and Member Services Manager.

This report also sets out the proposed reappointment of three independent persons, to fulfil the role required by the Localism Act 2011 in relation to allegations of members' misconduct.

**Recommendation**

Full Council is asked to approve:

- (i) The appointment of Ms J England to serve on the Independent Remuneration Panel for a four-year term with effect from 25 May 2023; and
- (ii) The reappointment of Ms I Divine, Mr K Leaver, and Mr T Whitehead to fulfil the role of independent person, as required by the Localism Act 2011 and as set out in the report, with effect from 25 May 2023.

## Detail

### Independent Remuneration Panel Membership

The Local Authorities (Members' Allowances) (England) Regulations 2003 require the county council to establish and maintain an Independent Remuneration Panel, and to have regard to the recommendations of the panel before making or amending the Members' Allowance Scheme.

Following the end of term of one panel member in October 2022, the current membership of the Independent Remuneration Panel is as follows:

Mr Keith Leaver (Chair) – appointed until 27 March 2025 (final term)

Ms Irene Divine – appointed until 27 March 2025 (final term)

Ms Lisa Strapps – appointed until 24 February 2025 (first term)

Mr Terry Whitehead – appointed until 27 March 2025 (final term)

The panel's Terms of Reference provide that panel members are appointed for a fixed four-year period and may serve a further term of four years, subject to Full Council approval of their re-appointment.

The panel's Terms of Reference also provide that the panel shall consist of a minimum of three and a maximum of five members. In that regard, Full Council will note that there is currently one unfilled position on the panel.

Following an open recruitment process in February and March 2023 and interviews held in April 2023, with a panel comprising the Chair of the Independent Remuneration Panel, the Head of Service for Legal, Governance and Registration, and the Democratic and Member Services Manager, Ms Jude England has been selected as a suitable fifth appointment to the panel.

Ms England lives in Lancashire and is currently a Trustee for a not-for-profit social research organisation. Her appointment will enhance the expertise and knowledge of the panel, so it is able to review and make recommendations on any changes to the Members' Allowance Scheme in the future.

Full Council is therefore recommended to approve the appointment of Ms England to the Independent Remuneration Panel for a four-year term with effect from 25 May 2023.

### Appointment of Independent Persons for Conduct Matters

The Localism Act 2011 requires the county council to appoint an "independent person" whose views must be sought by the local authority before a decision is taken in relation to an allegation of misconduct. Members who have had allegations made against them may, if they wish, also seek the views of the independent person.

Full Council has previously appointed three independent persons to fulfil this role. Where allegations of misconduct are investigated by the Monitoring Officer and a meeting of the council's Conduct Committee convened, one of the independent



persons attends the meeting of the Conduct Committee as an observer to allow them to discharge the role required by legislation (that their view must be sought and taken into account before a decision is taken in relation to an allegation of misconduct that has been investigated). Another Independent Person acts as an adviser to the subject member, if the member wishes, and the third Independent Person acts as a reserve.

Councillors, officers, or their relatives or close friends are prevented from being appointed as independent persons.

Currently, the independent persons appointed to fulfil this role are:

Ms Irene Divine  
Mr Keith Leaver  
Mr Terry Whitehead

The independent persons listed above have experience advising the county council on conduct matters.

The Government's Committee on Standards in Public Life now recommends that independent persons are appointed for a fixed term of two years, renewable once. In line with this guidance, a succession plan has been agreed with the current postholders which will allow the council to appoint new independent persons, whilst not losing access to the experience and advice offered by Ms Divine, Mr Leaver and Mr Whitehead at once.

It is therefore recommended that the appointment of each of the independent persons listed is renewed as set out below. At the end of each term, the council will seek to recruit a new independent person to each vacancy.

Full Council is therefore recommended to approve:

- The reappointment of Mr K Leaver and Mr T Whitehead as independent persons, as required by the Localism Act 2011, for a five-month term with effect from 25 May 2023; and
- The reappointment of Ms I Divine as an independent person, as required by the Localism Act 2011, for a three-year term with effect from 25 May 2023 (therefore avoiding the need to recruit during the next county council election year, 2025).

## **Consultations**

N/A

## **Implications:**

This item has the following implications, as indicated:



## Risk management

### Financial

The Independent Remuneration Panel provides impartial advice regarding the Members' Allowance Scheme. Regulations provide that local authorities may pay panel members an allowance for expenses incurred in carrying out the panel's functions. This allowance is currently £433 per annum, per member and is increased annually in line with the county council's staff pay award. No other expenses can be claimed by panel members.

## Local Government (Access to Information) Act 1985

### List of Background Papers

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

