

Report To:	STANDARDS AND PERSONNEL APPEALS COMMITTEE	Date:	27 MARCH 2017
Heading:	PERFORMANCE SRA GUIDANCE – CRITERIA, ABSENCES – EXCUSED AND UNEXCUSED		
Portfolio Holder:	N/A		
Ward/s:	N/A		
Key Decision:	NO		
Subject To Call-In:	NO		

Purpose Of Report

Following the recommendations contained in the report of the Independent Remuneration Panel, presented to Council in July 2016, Members of the Committee sought further clarification and guidance on the criteria for the Performance SRA.

The Performance SRA was approved as part of the final report. Members agreed that the basic allowance for Elected Members would be reduced by £500 and re-assigned annually (in arrears) to those Members who attend 70% of all of their formal meetings, including all compulsory / statutory training. This will come in to effect in the new municipal year (May 2017).

The Independent Remuneration Panel (appointed for 4 years) were asked to consider the issue further and provide clarity on how the Performance SRA would be managed. This report provides Members with the appropriate guidance to ensure that the process is fair and transparent.

Recommendation(s)

- **Members note and discuss the guidance attached as Appendix A**
- **Consider recommending the guidance to Council for approval with the addition of any further comments from the Standards and Personnel Appeals Committee**

Reasons For Recommendation(s)

The Performance SRA was approved at Council on 21 July 2016 and is due to become effective from May 2017.

Alternative Options Considered (With Reasons Why Not Adopted)

All options relating to Members allowances were considered by the Independent Remuneration Panel in 2016. Each local authority is required by the Local Government and Housing Act 1989 to have in place a Scheme for Members' Allowances. The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended), set out the requirements for the setting of this Scheme.

Detailed Information

Background

Following its approval at Council in 2016, the Standards and Personnel Appeals Committee considered the process at its meeting in December 2016 and asked for further clarification regarding the Performance SRA. The Performance SRA, as approved at Council, is due to be implemented from the start of the 2017/18 municipal year.

The Independent Remuneration Panel Recommended that;

“All Members who attend at least 70% of all their scheduled meetings and compulsory training events each year are paid an annual SRA of £500 in arrears starting in 2017/18”.

Furthermore, the Panel also recommended that;

“The Standards and Personnel (Appeals) Committee (or some other committee or persons as agreed by the Council) be given the remit to account for genuine or 'excused' absences”.

The Independent Remuneration Panel, appointed for 4 years, comprises of Dr Declan Hall, Janet Richardson and Martin Rigley MBE. As the Panel made the original recommendations and partly to bring an 'independent' perspective it was asked to provide appropriate draft guidance and criteria for excused and unexcused absences for consideration by the Standards and Personnel Appeals Committee.

Clarifications required by the Committee

In discussing the Performance SRA, at its meeting in December 2016, Members of the Standards and Personnel Appeals Committee raised a number of practical concerns about the suggested process. One of the key concerns was regarding the criteria for determining acceptable and unacceptable absences. These included;

- Illness
- Family emergency
- Carers responsibility
- Representing the Council on other boards/Committees
- Maternity / paternity
- Work commitments
- substitutions

Further comments from the Panel regarding the process included;

- Only where a Member is below 70% would the reasons for absence be considered;

- Could a minimum period of attendance at each meeting (51%) be considered?
- Quarterly reporting to ensure effected Members and groups are notified of potential issues at an early stage;
- Absence due to constituency work, County or Parish Council work should not be excused;
- The responsibility for notification of absence should be with Members and there should be a deadline of 7 days (5 working days) after the meeting to report the reason for absence;

Guidance from The Independent Remuneration Panel

As the terms of reference fall outside the 2003 Regulations and advice was being sought on what is in effect an administrative issue the Panel operated as a 'virtual' Panel. The Chair of the Panel took the lead in researching the issue, including attending a briefing session with Officers on 3rd March 2017. Subsequently a draft a report was produced by the Chair for the other Panel Members to comment upon and final agreement was reached via email.

In considering the concerns and comments of the Standards and Personnel Appeals Committee, the Panel have set out clarifications regarding the Performance SRA process in a short guidance note attached as Appendix A. This guidance provides clarity on;

- **Meetings that are counted for attendance purposes**
- **Defining Attendance**
- **Clarifying excused absences**
- **Reporting**
- **Substitutions**

In considering the guidance, Members are asked to review the information and provide any additional comments before it's consideration by Council on 20th April 2017.

Implications

Corporate Plan:

This report is presented in accordance with the Corporate Plan Priority "Organisational Improvement", Ensuring effective community leadership, through good governance, transparency, accountability and appropriate behaviours.

Legal:

The Council has to comply with the requirements prescribed in the Members Allowances (England) Regulations 2003 and arrange to adopt a revised Allowances Scheme following recommendations from an Independent Remuneration Panel. Further independent guidance was sought from the Panel to implement the Performance SRA, approved for implementation from the start of the 2017/18 municipal year.

Finance:

There are no financial implications contained in this report.

Budget Area	Implication
General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

Human Resources / Equality and Diversity:

There are no Human Resource implications arising from this report. The guidance attached as Appendix A, have given due regard to equalities and diversity legislation, particularly with regard to childcare and dependent carer's provision.

Other Implications:

There are no other implications arising from this report.

Reason(s) for Urgency (if applicable):

N/A

Background Papers

Independent Remuneration Report 2016

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