

## Sample Survey of Independent Representatives at the Annual Assembly of Standards Committees 2004

- a) Length of Service
- b) Allowances

### 1 Introduction

A survey was conducted of independent representatives of Standards Committees who attended the workshop *An Independent Perspective* at the Annual Assembly of Standards Committees on 13-14 September 2004. The aim was to learn more about the tenure of office and allowances paid to independent representatives to help The Standards Board for England (SBE) support and promote their important role in Standards Committees. A total of 85 written responses were received out of over 100 independent representatives of Standards Committees in local authorities throughout England who attended the Annual Assembly. This report provides an analysis of the results of the survey including regional variations, describes the approach used, forms conclusions on the key findings and makes some recommendations.

### 2 Key findings

The headline findings from analysis of the survey are set out below with the more detailed analysis by region contained in the tables at *Annexes 1 and 2*.

- a) *Length of Service*
  - Actual term of appointment
    - range 1-8 years (chairs 1-4 years)
    - average is 3 years (chairs 3 years)
  - Preferred total tenure (including re-appointment for a consecutive term)
    - range 3-12 years
    - average is 6 years
    - 10% suggested no limit
  - 34% of those who commented suggested no more than one re-appointment
- b) *Allowances*
  - 73% of respondents are positively in favour of the payment of allowances
  - Annual allowance: *independent representatives*
    - 54% are able to claim an annual allowance between £77-£1555
    - average is £463 per annum (main cluster £100-£500 per annum)
  - Annual allowance: *independent chairs*
    - 38% of chairs receive an enhanced allowance between £150-£3900
    - average is £1476 per annum (main cluster £750-£1000)
  - 85% of those surveyed receive or can claim a travel allowance
    - range (where amount stated) is 0.17p to 0.58p per mile
    - most common is 0.40p per mile (average 0.39p per mile)
  - 64% are able to claim out of pocket expenses (only 2% decline to claim)

12% have a childcare allowance scheme, with no sign of any regional trend.

### **3 Backdrop**

The SBE's *Guidance on standards committees* highlights the value of an independent representative in helping to increase public confidence and showing that the committee is fair. Feedback from the Annual Assemblies and the growing number of regional forums, together with research undertaken by MORI ('satisfaction with support and guidance provided by the Standards Board for England') has indicated that independent representatives often feel more isolated and unsupported than elected members due to a lack of developed support structures. Part of this feeling seems to flow from inconsistencies in the approach of different local authorities to the appointment of independent representatives and the lack of recognition of their responsibilities in the allowances awarded, many aspects of which are not prescribed by law. Greater knowledge about these issues and the concerns expressed by independent representatives will enable a more informed approach to the SBE's guidance on such matters as recruitment and retention, reward, continuity of office (having regard to the fact that elected members may change) and training and development. Apparent inconsistencies in the way that independent representatives are treated compared with elected or other co-opted members need to be explained and a more open and transparent framework developed reflecting the valued role of independent representatives.

### **4 Approach to survey and analysis**

Independent representatives attending the workshop *An Independent Perspective* were invited to complete a separate pro-forma questionnaire on *Length of Service* and *Allowances*; copies of the blank templates are attached at *Annexes 3 and 4*. The provision of personal details was optional and a series of targeted questions were asked about the respondents' present term of office and the payment of allowances and expenses. The details provided were transferred to two Excel databases under the different headings; no assumptions were made for blank entries. The template attached at *Annex 5* was developed to guide the analysis and draw out any interesting regional variations. The data analysis was carried out using pivot tables and formulae to extract the relevant data from the two spreadsheets. Some questions were more 'open' and provided the respondent with the opportunity to articulate their views.

### **5 Commentary**

The respondents provided sufficient information to enable production of meaningful results from the survey. In addition, many expressed views giving a better insight into some of the uncertainties that exist over the terms of their appointments or their entitlement to particular benefits. Indications are that independent representatives are less informed about their entitlements than their elected member counterparts and that the necessary structures have yet to be fully developed for a fair, consistent and transparent approach. Nearly half the responses came from South England with the remainder almost equally spread between the North and Midlands areas. Some regional variations are apparent and these are highlighted under the more detailed observations set out under the respective headings below.

#### *a) Length of Service*

Several respondents felt that independent representatives should serve long enough to ensure continuity; however, concerns were expressed about maintaining independence and not becoming entrenched over time.

Some expressed the view that independent representatives should serve for at least the same period as elected members.

Some suggested that the appointment of independent representatives should be staggered so that their tenure overlaps to ensure continuity.

Concern was expressed over the loss of trained skills / experience, and there is a related issue about efficiency based on the time spent and cost in developing independent representatives.

Four respondents (5%) raised concern over the continuing effectiveness of independent representatives, indicating the need for some form of performance monitoring or competency assessment (after initial training and experience).

The actual term of office for independent representatives across all regions was between 3 and 4 years; this was slightly lower both in the Midlands and South Wales regions at 2.6 years.

#### *b) Allowances*

Most respondents supported the payment of allowances and out of pocket expenses, some with an eye to a potential increase in work as the role of the Standards Committees expand and the local investigations start to increase the workload.

There was a call for more uniformity in the structures for payment of allowances within and among authorities; a national standard was suggested and a minority suggested some form of alignment with allowances and rates of expenses paid to district or county councillors.

The lack of consistency is highlighted in the regional variations with the allowances paid in the northern regions averaging £589 per year compared with just over £400 elsewhere; this trend continues with the allowances paid to chairman where the average of £1,677 per year across the northern regions is over £400 higher than elsewhere.

The vast majority (75%) was in favour of payment of allowances. Twelve of the respondents (14%) added comments to the effect that such payments may compromise independence; however, three (4%) felt they should have discretion on whether or not to receive allowances and claim expenses.

An important point was made by one respondent in respect of self-employed people who would normally wish to cover any loss of earnings by virtue of time out in their role as an independent representative.

Similarly, some felt that the payment of allowances would be more likely to attract the right candidate from a wider sector of society.

The travel allowances claimed by independent members are mainly paid by BACS or cheque.

#### *Independent chairs*

The analysis showed that 75% of the Standards Committees represented by the respondents had independent chairs (45% of those surveyed were independent chairs).

## **6 Conclusions**

- 6.1 The survey provides some useful pointers and converging views on the management of individual representatives by local authorities.
- 6.2 The survey has confirmed the Board's previous view that a 3-year term and one re-appointment (on merit) would allow sufficient time for independent representatives to acquire the necessary experience, gain credibility and respond proactively to wider requirements of the role whilst maintaining their independence.
- 6.3 The payment of attendance allowances, out of pocket expenses and travelling expenses is the norm; annual allowances seem to average around £600 for independent representatives and around £1,500 for independent chairs.
- 6.4 Independent representatives would benefit from more clarity about the payment of allowances as there is some evidence of uncertainty and inconsistency in approach. This together with an enlightened approach to diversity and childcare could also attract a wider

section of the community and minimise any difficulties in recruiting independent representatives.

- 6.5 The survey has confirmed the Board's previous understanding that independent chairs seem to be the norm rather than the exception. This will help reinforce the principle of independent scrutiny and public trust.

## **7 Recommendations**

- 7.1 The significant investment required by local authorities in recruiting, training and developing independent members justifies a benchmark for their tenure. As a result of this survey the Board will consider recommending that independent representatives should serve for 4-year terms in line with the terms of office of elected members, normally with no more than one re-appointment.
- 7.2 The Board supports the payment of reasonable allowances and out-of-pocket expenses to independent members to reward their services. A more open and transparent structure of allowances and consistent application to independent representatives would be beneficial. The Board believes that this would attract a wider pool of candidates from which to select the right calibre of person to contribute effectively to the increasing role and responsibilities of Standards Committees.
- 7.3 The Board believes the results of this survey reinforces its view that it is good practice for an independent representative to chair the Standards Committee.