

Agenda item

Police and Crime Panel

Meeting to be held on 10th December 2018

MEMBERS EXPENSES AND ALLOWANCES

Contact for further information:

David Fairclough (01254) 585642 HR, Legal & Corporate Services,
david.fairclough@blackburn.gov.uk

Executive Summary

To update on Members Allowances/Expenses pending further advice to be received.

Recommendation

That the Panel note the current position and defer a final decision pending receipt of Home Office advice.

Background and Advice

The LGA document: "Panel arrangements and the balanced appointment objective" dated May 2012 says:

"9 Allowances and Expenses

9.1 Each Authority has the discretion to pay its representatives on the Panel Special Responsibility Allowances, and to reimburse reasonable expenses incurred. No allowance or expenses payments will be made by the Panel itself to elected members. Any allowances or expenses which may be made to elected members arising out of Panel Membership shall be determined and borne by the appointing Authorities for each Panel Member individually.

9.2 The Host Authority, on behalf of the Panel will reimburse reasonable expenses to co-optees provided that this is agreed as part of the annual budget approved by the Panel."

Current position

This matter has been regularly considered by the Panel and most recently, on 19th September 2018. Expenses are referred to as being travel, subsistence, loss of earnings and conference / training costs.

Currently the Panel do not pay any `SRA's as each Constituent Council is left to set locally any allowances for its members who sit on the Panel (see above).

Over the years the scrutiny role of the Panel has evolved and now the Panel regularly sets out its Forward Plan for the year ahead and identifies areas it would wish to scrutinise in more detail. This may mean more meetings of the Panel and/or its sub-groups than originally envisaged. For this reason members may have/wish to have drawn this to the attention of their Constituent Councils when allowances for Panel elected members are reviewed.

Similarly in terms of SRAs for the Chair/Vice Chair of the Panels, it has been down to the relevant authority to consider paying an SRA if their Member has been appointed to one of these roles.

As was noted at the last meeting, there is no requirement to pay allowances to co-opted members and it is left to authorities to decide if they should be paid.

In respect of expenses it is clear from the Grant Claim Schedule that it is acknowledged that there will be some expenses incurred by Panel members. The grant Claim for Lancashire provides for up to £920 per member i.e. up to £16,560 per annum

To date the Panel has regularly underspent on this budget as it has primarily been used to reimburse attendance at external training events.

As reported in July 2018, since the earlier considerations of this matter by the Police & Crime Panel, a survey was undertaken by Frontline Consulting Associates. The result of their survey completed in January 2018 highlighted a practice that some Panels are clearly funding the payment of at least some allowances/expenses from the Home Office Grant whereas other were not. Payment from the grant for elected Panel Members would be `at odds' however with the Guidance produced above by the LGA in May 2012.

In November 2018, the Vice Chair and Panel Support Officer attended the Annual NAPFCP Conference and made enquiries as regards the current position and will report back to this meeting.

Enquiries have also been made of the Home Office as regards the definition of `expenses' as set out in Schedule 1 of the Grant Agreement by Blackburn with Darwen Borough Council as the `host authority'. A response is awaited.

It is proposed that pending confirmation that any payments could be reimbursed from the Home Office Grant any proposals for changes to the Panel's existing

practice for the payment of expenses/allowances be deferred until a future meeting.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Legal Implications

The Police Reform and Social Responsibility Act 2011 provides that the Secretary of State may provide financial and other resources to Members of the Police and Crime Panels in connection with the exercise of their functions. Paragraph 1 above sets out the extract from Guidance that relates to the matter.

Financial Implications

On 18th July a letter was sent to administering authorities (in the Lancashire Panel case – Blackburn with Darwen Borough Council in respect of the 2018/19 grant arrangements. This states that there will be £53,300 for administration costs for the Panel. In addition, £920 will be made available per member of the panel (including additional co-optees) for expenses.

Risk management

The provision of effective scrutiny by the Police and Crime Panel is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011. The scrutiny role is increasing and the impact upon Panel Members should be reflected in the allowances made to Panel members.

Local Government (Access to Information) Act 1985

List of Background Papers

The LGA document: "Panel arrangements and the balanced appointment objective" dated May 2012