

SELECTION AND MEMBER SERVICES COMMITTEE

Friday, 22nd May, 2015

10.00 am

Darent Room, Sessions House, County Hall, Maidstone





AGENDA

SELECTION AND MEMBER SERVICES COMMITTEE

Friday, 22 May 2015, at 10.00 am
Darent Room, Sessions House, County
Hall, Maidstone

Ask for: **Andrew Tait**
Telephone: **03000 416749**

Tea/Coffee will be available 15 minutes before the start of the meeting

Membership (9)

- Conservative (5): Mrs A D Allen, MBE (Chairman), Mr P B Carter, CBE, Mr G Cooke, Mr M C Dance and Mr B J Sweetland
- UKIP (2) Mr R A Latchford, OBE and Mr B E MacDowall
- Labour (1) Ms A Harrison
- Liberal Democrat (1): Mrs T Dean, MBE

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

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By entering the meeting room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

- 1 Substitutes
- 2 Declarations of Interests by Members in items on the Agenda for this meeting.
- 3 Minutes - 5 March 2015 (Pages 5 - 8)

- 4 Proposed changes to the Constitution (Pages 9 - 18)
- 5 Members' Allowances and Expenses 2014/15 (Pages 19 - 28)
- 6 County Car Service - Discussion paper on the present condition of the existing fleet (Pages 29 - 32)
- 7 Local Pension Board (Pages 33 - 44)
- 8 Appointment of Trustee to the Molyneux Almshouses, Rusthall (Pages 45 - 48)
- 9 Other items which the Chairman decides are Urgent

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Peter Sass
Head of Democratic Services
03000 416647

Thursday, 14 May 2015

KENT COUNTY COUNCIL

SELECTION AND MEMBER SERVICES COMMITTEE

MINUTES of a meeting of the Selection and Member Services Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Thursday, 5 March 2015.

PRESENT: Mrs A D Allen, MBE (Chairman), Mr G Cooke, Mr M C Dance, Mr J A Davies (Substitute for Mr P B Carter, CBE), Mrs T Dean, MBE, Ms A Harrison, Mr R A Latchford, OBE, Mr B E MacDowall and Mr B J Sweetland

IN ATTENDANCE: Mrs A Beer (Corporate Director Human Resources), Ms D Fitch (Democratic Services Manager (Council)), Mr P Sass (Head of Democratic Services) and Mr P D Wickenden (Democratic Services Manager (Members))

UNRESTRICTED ITEMS

4. Minutes - 26 January 2015
(Item 3)

RESOLVED that the Minutes of the meeting held on 26 January 2015 are correctly recorded and that they be signed by the Chairman.

5. Review of support for Elected Members
(Item 4)

(1) Mr Cooke introduced a report which proposed changes to the support received by all Members. The proposal consisted of three elements, support from Democratic Services, support on a broader basis from Information & Communication technology (ICT) and support to Members at a District level.

(2) Members discussed the report and asked a number of questions on the report which included the following, these were responded to by Mr Cooke and officers:-

- Members asked to be provided with Job Descriptions for the new roles
- A number of Members questioned the need for support from graduate(s) from the graduate scheme when there was a very efficient research service provided by the staff in the Information Point, which was not fully utilised by Members. Members were reminded that these officers were part of the libraries services who also provided the "Ask a librarian" service to the public. Mr Cooke acknowledged the good work of officers in the Information Point but it had been suggested that a more integrated approach could be taken to providing support to members via the Information Point and Member Services. Mr Cooke confirmed that support via the graduate scheme was part of a bidding process and there was no guarantee that this would be successful. He was confident that there was adequate work for someone with that level of expertise to support Members in carrying out their roles.
- In relation to the proposed dedicated ICT support within Democratic Services, concern was expressed about how such support would be

provided when this officer was absent. In addition, how would continuing professional development and career progression be assured for the individual in this dynamic area of work. Mr Cooke acknowledged that that this role could be shared amongst other ICT colleagues, although it was important for Members to have a named contact for ICT queries.

- It was suggested that the number of Members still requiring secretarial support to produce letters etc. was limited.
- Although it was acknowledged that a briefing on the proposed changes to Member support had been given to group leaders, information had not been made available for them to share with their group in order for all Members to have an informed view.
- Mr Cooke stated that paper before the Committee dealt with Members' support and did not include details of the media and community engagement officers' consultation proposals. He apologised for this and stated that he would be willing to come back to the Committee with more details of these proposals if necessary but, in the meantime offered to have meetings with all political groups to discuss these proposals.
- In relation to the Community Engagement Officer posts it was clarified that currently there were 12 posts, of which 9 were currently filled. The current consultation proposed the creation of 7 Media and Community Officers and 1 team leader.
- Concern was expressed about the appropriateness of combining the media and community support roles and it was considered that different skills were required for these two roles. Also the feasibility of officers in this new role to be able to separate out working to the administration in relation to media support but in relation to their Community support role they would be working to all 84 Members was raised.
- Mrs Beer confirmed that staff had been told that the consultation would end on 16 March and that the subsequent recruitment activity would begin on 30 March and the revised structure implemented as soon as possible after that. She mentioned that there were a lot of staff whose futures were uncertain and therefore it was hoped that the process could be concluded as swiftly as possible. Mr Cooke acknowledged that this process could be delayed slightly to allow for further consultation but it was important to balance this against the importance of providing certainty to affected staff.
- It was suggested that there be a Member briefing so that all Members could come long and hear how this is going to affect them. Mr Cooke expressed the view that it would be more productive to meet with a smaller group of members toward the end of March.

(3) RESOLVED that the Cabinet Member carry out further meetings with Members by the end of March, if possible, on the following proposals and if necessary submit a further report to this Committee before proceeding with implementing any specific proposals:

- a) the recruitment of additional staff to support the elected Member in terms of support at the Members' Desk as described in section 3 of the report;
- b) a dedicated member of staff for technological support to all Members and Democratic Services being transferred from ICT fully funded to Democratic Services; and
- c) the reconfiguration of Member support at a District level.

6. County Car Service - Proposed Increase to the rate of pay for casual drivers
(Item 5)

(1) Mr Cooke introduced a report, which invited the Committee to consider an increase to the rate of pay for casual drivers for the County Cars and the opportunity to link this to the staff pay award in future years.

(2) Members agreed that these drivers did an excellent job and as they had not received an increase in the hourly rate paid under their zero hours contract since 2007 it was timely to consider doing so now.

(3) Members discussed the level of this increase and whether it should be linked to some mechanism to provide an automatic update in future.

(4) RESOLVED that the hourly rate for casual drivers of the county cars be increased to £12 per hour with effect from 1 April 2015 and that the Head of Democratic Services be authorised to review this on an annual basis taking into account the current market rate, and, as necessary, in consultation with the Cabinet Member, increase to the rate of pay for these casual drivers.

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From: Gary Cooke, Cabinet Member for Corporate and Democratic Services

Geoff Wild, Director of Governance & Law

To: Selection and Member Services Committee – 22 May 2015

Subject: Proposed changes to the Constitution.

Classification: Unrestricted

Summary: This report recommends changes to the Council's Constitution to comply with the Openness of Local Government Bodies Regulations 2014 in relation to filming and recording of formal meetings and the recording and publishing of officer decisions. It also recommends a minor change to the Council Procedure Rules (Appendix 4 Part 1 of the Constitution) relating to County Council questions.

Part A: Filming and Recording of Meetings

1. Members will be aware that on 5 August 2014 Government made the Openness of Local Government Bodies Regulations 2014 ("the Openness Regulations"), which dealt with the admission to and reporting of meetings of relevant local government bodies, as well as the recording and reporting of decisions and access to documents. The Openness Regulations came into effect on 6 August 2014.
2. In relation to the reporting of meetings, the Openness Regulations require local authorities to allow any person attending a public meeting to report from that meeting. "Reporting" is defined as:
 - (a) *filming, photography or audio recording of proceedings;*
 - (b) *using any other means for enabling persons not present to see or hear proceedings of a meeting as it takes place or later; and*
 - (c) *reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later to persons not present.*
3. The Openness Regulations also state that:

"any persons who attend meetings...with the aim of reporting...may use any communication methods, including the internet, to publish, post or otherwise share the results of their reporting activities. Publication and dissemination can take place at the time of the meeting or occur after the meeting".

The rules do not require the Council to permit oral commentary during a meeting, as this could be disruptive to the good order of the meeting.

4. The Openness Regulations also require that while meetings are open to the public, any persons, including duly accredited representatives of newspapers attending the meeting for the purpose of reporting the proceedings for those newspapers shall, so far as practicable, be afforded “reasonable facilities” (including space to view and hear the meeting, seats and, ideally, a desk) for taking their report.
5. The rules apply to any formal, public meeting of KCC, including County Council, Cabinet, Cabinet Committees, committee and sub-committee meetings.
6. The Department for Communities and Local Government (DCLG) has issued a guide for the press and public on attending and reporting local government meetings (which replaces the guide entitled “Your Council’s Cabinet – going to its meetings, seeing how it works”, issued in June 2013). The new guide states that the use of digital communication methods, such as filming, tweeting and blogging, should be embraced for enhancing the openness and transparency of local government bodies.
7. The guide states that no prior permission is required for filming, photography or audio-reporting from local authority meetings that are open to the public. However, members of the public and press are advised to inform local authority staff so that all necessary arrangements can be made for them to do so. The guide discourages any system which “vets” journalists or restricts reporting to “approved” journalists.
8. The rules on reporting do not apply to Local Enterprise Partnerships, but the guide encourages them to allow the same level of public reporting as applies to local government bodies, particularly if they are in receipt of public funds.
9. The guide states the Openness Regulations do not prevent Members from tweeting and blogging from meetings, provided it is not disruptive and does not detract from the proper conduct of the meeting.
10. Local authorities are advised to consider adopting a policy on the filming and reporting of meetings by members of the public, such as allowing those who actively object to being filmed not to be filmed, without undermining the broader transparency of the meeting. It is also reasonable for the policy on filming to include provisions for dealing with disruptive behaviour from any individual and the DCLG guide warns members of the press and public that such behaviour could result in expulsion from the meeting. The guide makes it clear that nothing in the Openness Regulations will impact on the Chairman’s power to exclude members of the public in cases of genuine disruption, while explaining the clear legal position that the act of filming and using social media in itself cannot be considered as disruptive

11. As can be seen from the above, whilst the Openness Regulations give any person a right to film, blog, tweet or take photographs during a public meeting, either for live or subsequent reporting, it remains appropriate for the County Council to have a policy on filming and reporting of meetings and the following amendments are, therefore, proposed to Procedure Rule 2.2 in Appendix 4 Part 2 of the Constitution, shown in bold and underlined text:

(1) *While a meeting is open to the public, any person attending the meeting for the purpose of reporting the proceedings in any publicly available medium, including the **taking of photographs and the** making of audio or visual proceedings, will be afforded reasonable facilities for so doing, subject to:*

(a) prior notification to the Democratic Services Officer;

(b) recordings not being made covertly;

*(c) recordings not being disruptive or distracting to the good conduct of the meeting, **including but not limited to:***

(i) not moving to areas outside those designated for the public;

(ii) no oral commentary during a meeting;

(iii) no excessive noise in recording or setting up/re-siting equipment;

(iv) no intrusive lighting or use of flash photography; or

(v) not asking people to repeat statements for the purposes of recording;

(vi) removing any recording equipment from the room during any part of the meeting where the press and public are excluded

(d) attendees being advised at the start of the meeting that it is being recorded;

(e) reasonable objections from those not wishing to be recorded; and

*(f) the Chairman's decision **in relation to the disruptive impact of the reporting on the conduct and order of the meeting,** which shall be final.*

(2) *Official recordings of Council proceedings will be made available by the Democratic Services Officer to any Member who requests them.*

12. The Committee will be aware that most of KCC's formal Council, Cabinet and committee meetings are webcast for live or subsequent transmission to the internet. In relation to those public committee meetings that are not currently webcast, the Committee is asked to note that these will be recorded as they take place using the webcasting equipment, so that the County Council has an

uninterrupted, official record of these meetings, but they will not be transmitted to the internet.

Part B: Recording Executive officer decisions

13. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Executive Regulations”), which were aimed at introducing greater openness in Executive council meetings, came into force on 10 September 2012. The Executive Regulations were not the subject of any prior consultation with local authorities. Instead, the DCLG conducted what it described as a “short, focused informal soundings exercise with partners”. One such partner was the Local Government Association (LGA), which responded that the changes proposed by the Executive Regulations were “unnecessary”. Despite concern being expressed by KCC and others at the administrative burden that the Executive Regulations created, particularly in relation to the recording and publishing of officer decisions, no changes were made.
14. At its meeting on 19 September 2013, the County Council agreed with a number of recommendations from officers to implement key parts of the Executive Regulations, i.e. changes to the publication of forthcoming Executive decisions; notice of private meetings of the Executive; and Members’ rights to access documents relating to Executive decisions. However, in relation to the recording and publication of Executive officer decisions, the County Council decided to delay the implementation of this new requirement until such time as a viable and pragmatic solution could be found.

Executive officer decisions - Regulation 13(4)

15. The Executive Regulations extend the requirement to record all Executive decisions made by the Cabinet and Cabinet Members to those made by officers. According to the Executive Regulations, whenever an officer takes *any* Executive decision, they must produce a written statement including:
- (a) a record of the decision and the date it was made;
 - (b) the reasons for the decision;
 - (c) details of any alternative options considered and rejected;
 - (d) a record of any conflict of interest declared by any Executive Member consulted; and
 - (e) in respect of any declared conflict of interest, a note of dispensation granted by the Head of Paid Service

A record of all such decisions must be published on the Council’s website.

Proposal for the recording and publication of Executive officer decisions

16. Despite the wording of the Executive Regulations applying the new rules to *all* executive decisions taken by officers, DCLG issued a plain English guide

entitled “Open and Accountable Local Government”, which includes the following text:

“...many administrative and operational decisions officers take on how they go about their day to day work will be delegated within the Council’s rules and are not in this “executive decisions” category; as such they do not need to be recorded.

The decisions that should be not recorded might include the following examples:

- *decisions to allocate social carers to particular individuals, or for example, provide walking aids;*
- *decisions to allocate a social housing unit to an applicant or to send someone to carry out repairs;*
- *decisions to review the benefit claims of an individual applicant; and*
- *decisions to allocate market stalls to individual tenants”*

(Not all of the above examples are County Council functions)

17. The guide further states that “ultimately it is for local decision-makers to decide what information should be recorded on the basis of the national rules” and, therefore, KCC must decide upon a definition of what categories of Executive officer decisions should be recorded and published. Accordingly, the following proposal is made to amend and clarify paragraphs 6.34 and 6.35 of Appendix 4 Part 6 of the Constitution, shown in bold and underlined text:

6.34 *In certain circumstances a record must also be made of decisions taken under the Executive Scheme of Delegation to Officers. **Such officer decisions must relate to the discharge of a function that is the responsibility of the Executive and is sufficiently important and/or sensitive so that it is reasonable for a member of the public to expect it to be recorded and published.** These circumstances include:*

- (a) a management decision regarding the day-to-day running of the Council, where the financial implications for the Council are £1m or more (officers should ensure that they act within the financial limits agreed by Council and included at Appendix 5 of the Constitution)*
- (b) a decision or action taken to implement a specific Cabinet or Cabinet Member decision where the financial implications for the Council are £1m or more.*

6.35 **Examples of Executive officer decisions that should be recorded and reported are as follows:**

- (a) a decision to enter into a contract or legal agreement;**
- (b) a decision to consult on changing a service;**
- (c) a decision to make changes to services following a consultation exercise;**
- (d) a decision to go out to tender for a particular service, product or set of works or to award a contract therefor or to terminate a contract therefor;**

6.36 Those decisions purely administrative in nature and only remotely connected with an Executive function need not normally be recorded, but officers should consider in all cases the level of public interest that might exist for the information and the context within which the decision is being taken. **Examples of Executive officer decisions that do not need to be recorded and reported are as follows:**

- (a) the ordering of stationery or office supplies;**
- (b) decisions to allocate social care services to particular individuals where services are selected from an existing contract or framework agreement (as the decision to let that contract will have already been taken formally);**
- (c) decisions to “call off” from a framework contract, already awarded;**
- (d) decisions to carry out routine maintenance on a KCC-maintained highway or Council-owned land or property, which is provided for in the Council’s agreed revenue or capital budget (subject to the financial limits referred to in 6.34 (a) or (b) above);**
- (e) decisions relating to the grant of a license of land where no proprietary interest in land is granted such as hall hires or short term occupational licenses, sub-station licenses and similar;**
- (f) decisions concerning the day-to-day management of property such as surrenders, break clauses, rent reviews, notices, etc;**
- (g) a decision to issue legal proceedings or decide a court settlement;**

Part C: Recording Non-Executive officer decisions

18. The Openness Regulations also deal with the recording of decisions made by officers supporting Non-Executive decision-making bodies of the Council. Regulation 7(2) requires officers to produce a written record of any decision that would otherwise have been taken by the County Council, or a committee, sub-committee or joint committee of the Council but has been delegated to an officer, either under a specific authorisation or a general delegation, and the effect of the decision is to:

- (i) grant a permission or licence;
- (ii) affect the rights of an individual; or
- (iii) award a contract or incur expenditure which, in either case, materially affects the County Council’s financial position

19. The Openness Regulations require that a written record must be produced as soon as reasonably practicable after an officer has made a decision of the kind referred to above and must contain the following information:

- (a) the date the decision was taken;
- (b) a record of the decision taken along with reasons for the decision;
- (c) details of alternative options considered and rejected; and
- (d) where the decision falls under paragraph 2(a) of the Openness Regulations (decision made under a specific express authorisation), the names of any Member who has declared a conflict of interest in relation to the decision.

20. However, the Openness Regulations provide in Regulation 7(4) that the duty to record Non-Executive officer decisions is satisfied where a written record containing the information referred to in 19 (a) and (b) above is “already required to be produced in accordance with any other statutory requirement”. This is likely to include, for instance, decisions in relation to planning applications that are delegated to officers, where detailed records are already created and maintained.

21. Records of Non-Executive officer decisions must be made public at the offices of the Council, on the website and by any other means thought appropriate by the Council. A copy of the decision and supporting information must be provided on request, although local authorities are allowed to make a reasonable charge for postage, copying, etc. Decision records must be retained for inspection for at least 6 years. Background papers should also be available for inspection for at least 4 years.

22. In its guide to the Openness Regulations, DCLG states that many decisions taken by officers on how they go about their day-to-day work within the Council’s rules will not need to be recorded and that “it is for the Council to decide what information should be recorded on the basis of the national rules”. Accordingly, KCC must decide upon a definition of the categories of Non-Executive officer decisions that should be recorded and published and the following proposal is made for a new section of Appendix 4 Part 6 of the Constitution to follow the proposed new paragraph 6.36 (relating to Executive officer decisions) dealing with the recording of Non-Executive officer decisions:

6.37 A record must be made of decisions taken by an officer if it would otherwise have been taken by the County Council, or a committee, sub-committee or joint committee of the County Council but has been delegated to an officer either under a specific authorisation or a general delegation and the effect of the decision is to:

- (a) Grant a permission or licence;**
- (b) Affect the rights of an individual;**

(c) Award a contract or incur expenditure where the financial implications for the Council are £1m or more

6.38 Examples of Non-Executive officer decisions that should be recorded and reported are as follows:

- (a) a decision to enter into a contract or legal agreement;**
- (b) a decision to award planning permission or other permissions and licenses delegated to officers by the Planning Applications Committee or Regulation Committee;**
- (c) decisions relating to the County Council's Superannuation Fund delegated to officers by the Superannuation Fund Committee;**

6.39 Those decisions purely administrative or operational in nature need not normally be recorded but consideration should be given in all cases to the level of public interest that might exist for the information and the context within which the decision is being taken. Examples of Non-Executive officer decisions that do not normally need to be recorded and reported are as follows:

- (a) Decisions relating to employment matters, which are delegated to officers under the Personnel Management Rules, including staff management, recruitment and capability/disciplinary matters;**
- (b) Decisions taken in response to requests under the Data Protection Act 1998, the Freedom of Information Act 2000 or the Environmental Information Regulations 2004;**
- (c) Decisions taken to appoint Members to committees, joint committees and outside bodies, delegated to officers by the Selection and Member Services Committee;**
- (d) Decisions taken by officers to check and authorise expense claims submitted by Members in accordance with the Members' Allowances Scheme;**

6.40 The record of decision must contain:

- (a) the date the decision was taken;**
- (b) the reasons for the decision;**
- (c) details of alternative options, if any, considered and rejected;**
- (d) if the decision was made under a specific authorisation, the names of any Member who has declared a conflict of interest in relation to the decision;**
- (e) comments received from affected local Members, where applicable;**

6.41 The Record of Decision should be a public document, with any exempt information being contained within an exempt report to the decision-maker;

6.42 As soon as reasonably practicable after the decision has been made, the decision-maker must make the Record of Decision and any reports considered by the decision-maker available for inspection at County Hall and on the Council's website, except where information is considered to be exempt from publication or confidential;

6.43 The written record of the decision must be retained for inspection for a period of six years from the date of the decision, with any background papers available for a period of four years from the date of the decision.

Part D: County Council Questions

23. Paragraph 1.17(6) of Appendix 4 Part 1 of the Council's Constitution currently states that:

Answers to questions will be given by the Leader, the relevant Cabinet Member, Committee Chairman, the Member nominated by the Police or Fire Authorities or by another Member designated by the Chairman of the Council.

24. With the creation of Police and Crime Commissioners and Police and Crime Panels under the Police Reform and Social Responsibility Act 2011 and the subsequent demise of police authorities, the reference in paragraph 1.17(6) to "Police Authority" needs to be removed. In addition, it is also the case that the Kent and Medway Fire and Rescue Authority (K&MFRA) has its own procedures for dealing with formal business, including Members' questions and therefore, following consultation with the Chairman of the K&MFRA, it is proposed that the reference to "Fire Authority" also be removed from this part of the Constitution. Accordingly, the revised proposed wording of paragraph 1.17(6) is as follows:

"Answers to questions will be given by the Leader, the relevant Cabinet Member, Committee Chairman, or by another Member designated by the Chairman of the Council".

Conclusions: 25. Through the Openness Regulations, the Government is committed to opening up local authority meetings to digital and social media. KCC already has a positive policy on filming at formal meetings, which only requires minor amendment to be fully compliant with the Regulations. The rules on the recording of both Executive and Non-Executive officer decisions will mean a new way of recording delegated decisions so that they comply fully with the Regulations and officers will be supported in so doing by staff in Democratic Services. The proposed changes to paragraph 1.17(6) of Appendix 4 Part 1 of the Constitution relate in the case of the former Police Authority to a change in the law, and in

relation to the Fire Authority, to an acceptance that alternative arrangements exist for Members' questions at Fire Authority meetings.

Recommendations:

26. The Committee is invited to:

- (a) Approve the amendments to paragraph 2.2 of Appendix 4 Part 2 of the Constitution in relation to filming at meetings, as set out in paragraph 11 of the report above;
- (b) Approve the proposed revisions to paragraphs 6.34 to 6.36 of Appendix 4 Part 6 of the Constitution in relation to the recording of Executive officer decisions, as set out in paragraph 17 of the report above;
- (c) Approve the proposed addition of paragraphs 6.37 to 6.43 of Appendix 4 Part 6 of the Constitution in relation to recording Non-Executive officer decisions, as set out in paragraph 22 of the report above; and
- (d) Approve the proposed change to paragraph 1.17(6) of Appendix 4 Part 1 of the Constitution in relation to County Council Questions as set out in paragraph

Contact details:

Peter Sass
Head of Democratic Services
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(03000) 416647

Background Papers:

Reports to the Selection and Member Services Committee – 4 September 2013
and County Council – 19 September 2013.

By: Director of Governance and Law
To: Selection and Member Services Committee – 22 May 2015
Subject: MEMBERS' ALLOWANCES AND EXPENSES 2014/15
Status: Unrestricted

Summary: The Committee is invited to note and approve for publication the annual return for Members' allowances and expenses, together with details of the costs of the County Car service and taxis for Members for 2014/15.

FOR INFORMATION

Introduction

1. In accordance with paragraph 15 of The Local Authorities (Members' Allowances) (England) Regulations 2003, Kent County Council is required to publish annually the allowances paid to Members, which includes the Basic, Special Responsibility, Travelling and Subsistence, Dependent Carers and Co-optees Allowances. The Committee will also be aware of the legal requirement for the County Council to have a Member Remuneration Panel to advise the Council on the level of allowances and expenses Members should receive.

Details for 2014/15

2.(1) The amount of Members' Allowances and expenses paid during the period 1 April 2014 to 31 March 2015 was £1.748m details of which are provided in **Appendix A**.

(2) It has also been agreed previously by this Committee to report at the same time the net cost of the County Car service for the previous financial year, which for 2014/15 was £38.8k details of which are provided in **Appendix B**. **Appendix C** sets out the total driving hours for those Members who have used the County Car service in 2014/15. **Appendix D** sets out those Members who have used taxis during 2014/15.

Recommendation:

4. The Committee is requested to note this report and agree to:
- (a) the publication of the allowances and expenses for 2014/15 as detailed in **Appendix A** as required by the Local Authorities (Members' Allowances) (England) Regulations 2003;and
 - (b) the publication of the costs of the County Car service and taxis for Members for 2014/15 as detailed in **Appendix B and D**.

Paul Wickenden
Democratic Services Manager (Members)
Tel No: 03000 416836
e-mail: paul.wickenden@kent.gov.uk

Background Information: Members' Expenses records for 2014/15 held by Kent County Council.

Kent County Council

Council Members Remuneration (subject to PAYE) paid 1st April 2014 - 31st Mar 2015

Name	Initials	Basic Allowances	Special Responsibility Allowance	Grand Total
		£	£	£
Allen	A D	12,805	12,633	25,438
Angell	M J	12,805	911	13,716
Baker **	D W	12,805		12,805
Baldock	M	12,805	1,398	14,203
Balfour	M A	12,805	13,949	26,754
Bird	R H	12,805		12,805
Birkby	H G	12,805	2,505	15,310
Bond	N	12,805		12,805
Bowles	A H	12,805		12,805
Brazier	D L	12,805	24,927	37,732
Brivio	P M	12,805		12,805
Brookbank	R E	12,805	7,369	20,174
Burgess	L	12,805	1,398	14,203
Caller	C W	12,805	800	13,605
Carey	S J	12,805	12,633	25,438
Carter	P B	12,805	42,109	54,914
Chard	N J	12,805		12,805
Chittenden	I	12,805		12,805
Clark	B	12,805		12,805
Cole	P T	12,805		12,805
Cooke	G	12,805	27,371	40,176
Cowan	G	12,805	6,316	19,121
Crabtree	M E	12,805	12,633	25,438
Cribbon	C J	12,805	800	13,605
Crowther	A D	12,805	699	13,504
Dagger	V J	12,805		12,805
Daley	D S	12,805		12,805
Dance	M C	12,805	27,371	40,176
Davies	J A	12,805	9,264	22,069
Dean	T	12,805	8,876	21,680
Eddy	M R	12,805	800	13,605
Elenor	J	12,805		12,805
Elenor	M	12,805		12,805
Gates	T	12,805		12,805
Gibbens	G K	12,805	27,371	40,176
Gough	R W	12,805	27,371	40,176
Harman	P M	12,805		12,805
Harrison	A	12,805		12,805
Harrison	M J	12,805	9,264	22,069
Heale	M	12,805		12,805
Hill	P M	12,805	27,371	40,176
Hoare	C	12,805	699	13,504
Hohler	S V	12,805	12,583	25,388

Holden	S	12,805	12,633	25,438
Homewood	P J	12,805	13,106	25,911
Hotson	E E	12,805	6,456	19,261
Howes	S J	12,805		12,805
King	A J	12,805	7,369	20,174
Kite	J A	12,805	6,316	19,121
Koowaree	S J	12,805		12,805
Latchford	R A	12,805	4,817	17,622
Long	R L	12,805	7,369	20,174
Lymer	G	12,805	12,633	25,438
Macdowall	B	12,805	699	13,504
Maddison	T A	12,805	800	13,605
Manion	S C	12,805		12,805
Marsh	R A	12,805		12,805
McKenna	F	12,805		12,805
Neaves	R G	12,805		12,805
Northey	M J	12,805	12,633	25,438
Oakford	P J	12,805	24,755	37,560
Ozog	J M	12,805		12,805
Parry	R J	12,805	7,369	20,174
Pearman	C R	12,805	781	13,586
Ridings	L B	12,805	7,369	20,174
Rowbotham	E D	12,805		12,805
Scholes	J E	12,805	7,369	20,174
Scobie	W	12,805		12,805
Shonk	T L	12,805	699	13,504
Simkins	C E	12,805		12,805
Simmonds	J D	12,805	27,371	40,176
Smith	C P	12,805	12,633	25,438
Smyth	D	12,805	800	13,605
Stockell	P A	12,805	7,369	20,174
Sweetland	B	12,805	27,371	40,176
Terry	N A	12,805		12,805
Thandi	N S	12,805		12,805
Truelove	R	12,805	2,000	14,805
Vye	M J	12,805	3,103	15,908
Wedgbury	J N	12,805		12,805
Whittle	J	12,805	15,130	27,935
Whybrow	M E	12,805		12,805
Wickham	M A	12,805	7,488	20,293
Wiltshire	Z P	12,805	2,358	15,163
Total		1,075,617	558,215	1,633,832

** David Baker resigned from KCC 19.03.15. Repayment of £413 for Basic Allowance received in April 2015

Kent County Council

Council Members Expenses and Allowances paid 1st April 2014 - 31st Mar 2015

Name	Initials	Casual User Mileage	Public Transport	Subsistence	Carers Attendance Allowance	Total Expenses
		£	£	£	£	£
Allen	A D	2,600				2,600
Angell	M J	1,718	10			1,728
Baker	D W	1,039				1,039
Baldock	M	290				290
Balfour	M A	749	266			1,015
Bird	R H					0
Birkby	H G	2,520	425			2,944
Bond	N	984				984
Bowles	A H	1,463				1,463
Brazier	D L	3,958	353	160		4,472
Brivio	P M	1,398				1,398
Brookbank	R E	1,612				1,612
Burgess	L					0
Caller	C W	341				341
Carey	S J	3,078	81			3,160
Carter	P B	2,728	60	159		2,948
Chard	N J	500	35			535
Chittenden	I					0
Clark	B				46	46
Cole	P T	1,462				1,462
Cooke	G					0
Cowan	G	3,671				3,671
Crabtree	M E	2,463				2,463
Cribbon	C J	572				572
Crowther	A D	1,900				1,900
Dagger	V J					0
Daley	D S					0
Dance	M C	4,043	21			4,064
Davies	J A	1,535	145			1,680
Dean	T	468	124	117		709
Eddy	M R	2,265		129		2,394
Elenor	J	1,172				1,172
Elenor	M					0
Gates	T	947				947
Gibbens	G K	2,162	2,227			4,389
Gough	R W	4,085	311			4,396
Harman	P M	131				131
Harrison	A	1,597	7			1,604
Harrison	M J	3,031	35			3,066
Heale	M	480				480
Hill	P M	3,335	4			3,339
Hoare	C					0
Hohler	S V	1,618	198			1,816

Holden	S	1,723	159			1,883
Homewood	P J					0
Hotson	E E	878				878
Howes	S J	66				66
King	A J	371				371
Kite	J A					0
Koowaree	S J	204				204
Latchford	R A	4,781				4,781
Long	R L	279				279
Lymer	G	3,698				3,698
Macdowall	B	890	75			965
Maddison	T A	2,034	3			2,038
Manion	S C	1,121				1,121
Marsh	R A	559				559
McKenna	F					0
Neaves	R G					0
Northey	M J	2,796	202			2,998
Oakford	P J	2,719	74			2,793
Ozog	J M					0
Parry	R J	577	21			598
Pearman	C R	2,460				2,460
Ridings	L B	4,641				4,641
Rowbotham	E D	1,042				1,042
Scholes	J E	315	6			321
Scobie	W	803				803
Shonk	T L	1,198				1,198
Simkins	C E	1,165				1,165
Simmonds	J D	3,184				3,184
Smith	C P	1,544	3			1,546
Smyth	D	208	611	47		866
Stockell	P A					0
Sweetland	B	1,363	65			1,428
Terry	N A	1,026				1,026
Thandi	N S	233				233
Truelove	R	478				478
Vye	M J	1,581				1,581
Wedgbury	J N					0
Whittle	J	85	65			150
Whybrow	M E					0
Wickham	M A	940	40			980
Wiltshire	Z P	121	812			933
Total		106,998	6,438	612	46	114,095

Appendix B

Running Costs of Members Cars

	2014-15 Apr - Mar £	2013-14 £	2012-13 £
Vehicle Repairs & Maintenance	4,066	4,248	7,436
Petrol	4,997	5,588	6,786
Congestion Charges	529	472	933
Chauffeurs Employment costs	29,390	33,285	36,920
Less Chauffeur Recharges	(140)		(490)
	38,842	43,593	51,585

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Total Driving Hours for each Member 2014-2015**Summary**

Member	Hours
David Baker	6.45
Matthew Balfour	4.05
Andrew Bowles	39.25
David Brazier	6.10
Paul Carter	350.10
Gary Cooke	21.30
Adrian Crowther	8.15
Mark Dance	565.13
Graham Gibbens	8.15
Roger Gough	4.45
Mike Harrison	137.20
Mike Hill	9.15
Peter Homewood	549.10
Eric Hotson	39.80
Alex King	59.03
Paulina Stockell	8.15
TOTAL	1815.56

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Members use of Taxis for 2014—2015

Summary

Members	Cost
Mr King	£ 3278.30
Mr Burgess	£ 487.40
Mr Vye	£ 373.80
Mr Neaves	£ 134.80
TOTAL	£ 4274.30

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By: Gary Cooke, Cabinet Member for Corporate and Democratic Services
Peter Sass, Head of Democratic Services

To: Selection and Member Services Committee –22 May 2015

Subject: County Car Service – Discussion paper on the present condition of the existing fleet

Summary: This report invites the Committee to note the current position with regard to the County Council’s car fleet and to comment on options for replacing the fleet at an appropriate stage in the future, together with an offer to supply a car for the Chairman’s use during the 2015/16 Municipal Year.

1. Introduction

- (1) Kent County Council has operated cars for Members’ use since the 1960s. The service is available for all 84 Members but is provided primarily for the civic duties of the Chairman and Vice Chairman of the Council and for the work of the Leader, Deputy Leader, Leader of the Opposition and Cabinet Members. Over the years, the County Council has used different methods of procurement for its vehicles, i.e. both lease and direct purchase, and has reduced the cost of the service down to the absolute minimum. Continuing efforts are being made to reduce costs wherever possible and to make the best use of what is an invaluable and value-for-money service.
- (2) At its meeting on 13 July 2011, this Committee endorsed the principle of providing a car service on the grounds that it is an efficient means of travel and, in many cases, cheaper than public transport and taxis, given the demands on Members’ and senior officers’ time. It is particularly efficient and effective given size of the County Council’s area; the ability for senior Members to undertake confidential work whilst travelling to meetings; and the value for money achieved when two or three Members share a car to travel to and from the same meeting, as is quite often the case. The service is also available for any Member who may be temporarily incapacitated and unable to drive their own car, perhaps as a result of medical treatment

2. The existing car fleet

- (3) The Council’s existing fleet comprises three 10-year old Volvo S80s and an 18-year old Volvo Estate. The three Volvo S80s were originally leased by to the Council over a four year period from 2005 but were purchased by the County Council at the end of the lease period in 2009 at a total cost of £20,620. The current valuations and mileages of the fleet are as follows:

Car	Current mileage (May 2015)	Current Estimated Value (online valuation)	Comments
Volvo Estate P678 LKN	159,000	£100	Is rarely used. *
Volvo S80 1XKT	190,000	£740	
Volvo S80 GJ55 FWF	151,000	£920	
Volvo S80 GJ55 FWD	145,000	£930	Gearbox replaced in April 2015

*(*the fixed costs of this vehicle (insurance, tax, MOT and servicing) total £1,200 per annum.*

- (4) The total cost of providing the Members' car service in the last three financial years is as follows:

Category of spend	2014/15 £	2013/14 £	2012/13 £
Vehicle repairs and maintenance	4,066	4,248	7,436
Fuel	4,997	5,588	6,786
Congestion Charges	529	472	933
Driver/Administrator – 45% of costs	12,520	13,921	14,558
Driver employment costs	16,870	19,364	22,362
Less driver recharges	(140)		(490)
TOTAL	38,842	43,593	51,585

- (5) At its meeting on 11 May 2012, this Committee agreed that the existing cars would be renewed by way of leasing an appropriate number of vehicles depending on usage. At that time, it was expected to be 2015 at the earliest that the renewals would be made depending on the condition and serviceability of the vehicles. The Committee also said at the time that it expected each of its cars to do a minimum of 250,000 miles before being replaced. Some Members may recall that the Committee also agreed in 2012 to establish a repairs and renewals fund for Member transportation in the sum of £15,000 per annum. Provision has been made within a reserve and currently stands at £45k.
- (6) An analysis undertaken in 2012, showed that, on average, the 4 Volvos are used for 44% of the time between 06:00 and midnight each working day. This analysis of usage is currently being repeated in respect of the last complete financial year 2014/15 and this information will be key in order to inform the Cabinet Member on the number of replacement vehicles the Council requires going forward. The Committee is also asked to note that the Head of Democratic Services will work with the Cabinet Member for Corporate and Democratic Services to develop an appropriate specification for the vehicles themselves and the service generally in the future prior to a procurement process being undertaken. The Cabinet Member will report back to this Committee at appropriate stages of the procurement process.

3. Proposed Civic Car

- (7) The Committee is advised that the Barretts car dealership based in Canterbury has offered to provide a civic car for Kent County Council for the 2015/16 Municipal Year only on the following basis:
- (i) A car would be made available on loan to KCC for the use only by the 2015/16 Chairman and Vice Chairman of the Council for civic and ceremonial events, with additional limited use allowed by senior managers, but no other elected Members. At the end of the year, the car would be returned to Barretts.
 - (ii) The car is likely to be a Jaguar XE saloon
 - (iii) The mileage for the car is limited to 12,000 miles during the loan period
 - (iv) KCC would be responsible for fully insuring the vehicle for the period of the loan* and be responsible for any damage that may occur during that time.
 - (v) Some very discreet Barretts branding on the vehicle is requested, e.g. a number plate or bumper sticker.

(* insurance is estimated to cost £600 for a full year)

- (8) Canterbury City Council has benefited from an identical arrangement for a number of years and Barretts regard the provision of a car in these circumstances as an important part of their civic responsibility. The reason that Barretts have stipulated that no other elected Members can use the car apart from the Chairman and Vice Chairman of the County Council is because they do not wish to be seen as providing a service solely for the benefit of a particular political group.
- (9) Should the Committee agree to accept this offer from Barretts, the cost of insuring the vehicle would be met from the Democratic Services revenue budget.

4. Recommendations:

The Committee's instructions are requested.

Background Documents –Previous reports to the Selection and Member Services Committee in 2011 and 2012, as indicated in the report.

Report Author:

Peter Sass
Head of Democratic Services
Tel: (03000) 416647
E-mail: peter.sass@kent.gov.uk

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By: Peter Sass, Head of Democratic Services
To: Selection & Member Services Committee– 22 May 2015
Subject: **LOCAL PENSION BOARD**
Classification: Unrestricted

Summary: To appoint two Elected Members to serve on the Local Pension Board

FOR DECISION

1. The County Council at its meeting on 26 March 2015 established a Local Pension Board as required under the Public Services Pension Act 2013, and associated Regulation. A copy of the report to County Council setting out the background to the establishment of the Board and the proposal under which it will operate, as amended at County Council, is attached as **Appendix A**.

2. A Pension Board must include an equal number of employer and scheme member representatives with a minimum requirement of no less than four in total.

3. The Membership of the Pension Board is as follows:

Scheme employer (4):

KCC- 2 representatives (including Chair)-not members of the Superannuation Fund Committee

District Councils /Medway Council- 1 representative

Police/Fire- 1 representative

Scheme member representation (4):

Staff- 2 representatives; 1 KCC and 1 non KCC.

Kent Active Retirement Fellowship- 1 representative.

Trade unions- 1 representative

Total membership 8

The Chairman of the Pension Board must be one of the Elected Member representatives .

RECOMMENDATION

4. The Committee is requested to appoint two Elected Members to serve on the Local Pension Board as KCC employer representatives, one of these Members to be the Chairman of the Board.

Peter Sass

Head of Democratic Services

03000 416647

Background documents - None

By: Chairman Superannuation Fund Committee
Corporate Director of Finance & Procurement

To: Council– 26 March 2015

Subject: **LOCAL PENSION BOARD**

Classification: Unrestricted

Summary: To receive the recommendations of the Superannuation Fund Committee on the establishment of a Pension Board.

FOR DECISION

INTRODUCTION

1. As part of the reforms of public sector pension schemes following Lord Hutton's 2010 review, major changes were proposed in the Public Services Pension Act 2013. The Act included a requirement for the Department for Communities and Local Government (DCLG) to make regulations establishing a National Scheme Advisory Board and requiring each Local Government Pension Scheme (LGPS) administering authority to establish a Local Pension Board. The Regulations were laid before Parliament on 28 January.
2. The committee has responded to a number of consultations from the DCLG in August and November 2014. Its responses have been fairly typical of those of administering authorities who have questioned the purpose and role of the new boards. In fact the consensus view would seem to be that for a locally administered scheme such as the LGPS they are wholly unnecessary and reflect fundamental misunderstandings about how the LGPS is currently governed. Notwithstanding this view the Council has to comply with the regulatory requirement.
3. The Superannuation Fund Committee received a report on 6 February which was approved with amendments and it then undertook a consultation with the 500 scheme employers. The results of this consultation were fed back to the Superannuation Fund Committee on 20 March. Given the need to progress setting up the Board it was necessary to bring the issue to this meeting of Council-an update will be given for

any changes in the recommendations from the 20 March Superannuation Fund Committee meeting.

SECTION 101 COMMITTEE

4. Each administering authority is responsible for administering and managing the LGPS and is now referred to as the scheme manager. Under the Local Government Act 1972 decisions about pensions are delegated in accordance with Section 101 to “committees or sub committees made up of councillors from all of the political groups and will be politically balanced”. In Kent the Constitution delegates this responsibility to the Superannuation Fund Committee.
5. There are no proposals to change the remit of the committee. It is still the body responsible for the management of the Fund.

PENSIONS REGULATOR

6. The regulatory powers of the Regulator were extended under the 2013 Act to cover some aspects of public service pension schemes, including the LGPS. The Regulator is an existing body corporate established by the Pensions Act 2004 Act. Prior to 1 April 2015, the Regulator regulated occupational and personal pension schemes provided primarily through private sector employers.
7. The Regulator has a number of statutory objectives including to:
 - 1) Protect the benefits of pension scheme members,
 - 2) Promote, and improve understanding of, the good administration of work-based pension schemes; and
 - 3) Maximise compliance with the duties and safeguards of the Pensions Act 2008.

The 2013 Act introduces a framework for the regulatory oversight of aspects of the governance and administration of public service pension schemes by the Regulator from 1 April 2015, through expanding its current role.

8. To be absolutely clear the powers of the Regulator were not extended to cover areas such as the funding and investment of Funds.

CONSTITUTION AND MEMBERSHIP OF A LOCAL PENSION BOARD

9. Regulation 106 (1) states that the Pension Board will be responsible for assisting the administering authority:
 - (a) To secure compliance with:
 - (i) These Regulations,

- (ii) Any other legislation relating to the governance and administration of the Scheme and any connected scheme, and
- (iii) Any requirements imposed by the Pensions Regulator in relation to the Scheme.

(b) To ensure the effective and efficient governance and administration of the Scheme.

10. Local Pension Boards must be established no later than 1 April 2015. Established in this context means that the administering authority must have approved the establishment of the Local Pension Board and the Local Pension Board's composition and also the terms of reference, in accordance with its constitution. It does not necessarily mean that the Local Pension Board has to be fully operational by this date. However it is anticipated that a Local Pension Board should be operational within a reasonably practicable period after 1 April 2015 (being no longer than 4 months).
11. The responsibility for establishing a Pension Board rests with the administering authority of each Fund. This is something the administering authority must do, it is not optional.
12. A Pension Board must include an equal number of employer and scheme member representatives with a minimum requirement of no less than four in total.
13. No officer or councillor of an administering authority who is responsible for the discharge of any function under the Regulations (apart from any function relating to Local Pension Boards or the Scheme Advisory Board) may be a member of a Local Pension Board.
14. The proposals for the Kent Fund Pension Board as recommended by the Superannuation Fund Committee are set out in Appendix 1.

RECOMMENDATION

15. The County Council is requested to establish a Local Pension Board with effect from 1 April 2015 based on the proposal set out in Appendix 1 to this report.

Nick Vickers
Head of Financial Services
03000 416797

SUPPLEMENTARY INFORMATION

By: Chairman Superannuation Fund Committee
Corporate Director of Finance & Procurement

To: Council– 26 March 2015

Subject: **LOCAL PENSION BOARD**

Classification: Unrestricted

Summary: To receive the recommendation of the Superannuation Fund Committee meeting on 20 March 2015 on the establishment of a Pension Board.

FOR DECISION

(1) As stated in the report circulated with the County Council agenda scheme employers and the bodies represented on the Superannuation Fund Committee were consulted on the draft proposal to established Local Pension Board.

(2) The outcome of the consultation was considered by the Superannuation Fund Committee at their meeting on 20 March 2015 the only amendment to the proposal related to allowing for the Kent Active Retirement and Unison Members to each have a named substitute.

(3) It is therefore necessary to revise the recommendation contained in the original report to take account of the recommendation of the Superannuation Fund Committee.

REVISED RECOMMENDATION

(4) The County Council is requested to establish a Local Pension Board with effect from 1 April 2015 based on the proposal set out in Appendix 1 to this report with paragraph 10 (page 76 of the County Council book) amended as follows ;

“10. Substitutes

Substitutes will be allowed for the Kent Active Retirement and Unison members of the Board but they must be a named individual who will undertake the necessary training and development.”

PENSION BOARD PROPOSAL

1. Membership

Scheme member representation (4):

Staff- 2 representatives; 1 KCC and 1 non KCC.

Kent Active Retirement Fellowship- 1 representative.

Trade unions- 1 representative

Scheme employer (4):

KCC- 2 representatives (including Chair)-not members of the Superannuation Fund Committee

District Councils /Medway Council- 1 representative

Police/Fire- 1 representative

Total membership 8

Note:

Chairman- KCC county councillor NOT currently on the Superannuation Fund Committee.

Vice Chairman- to be agreed by board.

2. Selection of members

This will vary by the type of member:

Employee representatives will be asked to nominate themselves and a panel of Finance and HR officers from employers will advise the Board Chairman.

Pensioner- nominated by Kent Active Retirement Fellowship.

Trade unions- nominated by Unison.

Employer representatives- will be nominated by those employers and the Board Chairman will select.

3. Relevant Knowledge and Understanding of Representative Members

The Regulations require that individuals appointed have relevant knowledge and understanding.

Individuals must not have a conflict of interest but membership of the LGPS or the Fund will not constitute a conflict of interest.

4. Term of Office

Membership will be for 4 year renewable periods with a maximum of 8 years..

5. Termination

A member should cease their office where:

A member has a conflict of interest which cannot be managed in accordance with the Board's conflicts policy;

A member dies or becomes incapable of acting;

A member who is a councillor of the Administering Authority is appointed to a Superannuation Fund Committee;

A member is appointed to the role of an officer of the Administering Authority with responsibility for the discharge of functions under the Regulations;

A member resigns.

A representative member ceases to represent his constituency, for example if an employer representative leaves the employment of his employer and therefore ceases to have the capacity to represent the Fund's employers; and

A member fails to attend 2 consecutive meetings or otherwise comply with the requirements of being a Board member, for example fails to attend the necessary knowledge and understanding training.

6. Terms of Reference

The board will assist the Superannuation Fund Committee to secure compliance with the requirements of the LGPS Regulations and of the Pensions Regulator.

The board will receive regular reports on governance and compliance issues.

7. Officer Support

The KCC Corporate Director of Finance and Procurement will be responsible for providing professional advice to the board.

Meeting agendas will be prepared and published by KCC Democratic Services, papers will be available on the KCC website and KCC Democratic Services will minute meetings and publish the minutes on the KCC website.

8. Number of Meetings

The board will meet twice a year in Sessions House, Maidstone. Additional meetings will be called if the volume of business makes it necessary.

9. Quorum

A minimum of 4 members will need to be present for the board to be quorate.

10. Substitutes

Substitutes will be allowed for the Kent Active Retirement and Unison members of the Board but they must be a named individual who will undertake the necessary training and development.

11. Expenses

Members of the board will be paid travel expenses for attending the meeting.

Any expenditure the board proposes to incur will need to be agreed in advance by KCC's Head of Financial Services.

12. Data Protection

All members of the board will be required to comply with KCC's data protection and information security policies.

PENSION BOARD PROPOSAL

1. Membership

Scheme member representation (4):

Staff- 2 representatives; 1 KCC and 1 non KCC.

Kent Active Retirement Fellowship- 1 representative.

Trade unions- 1 representative

Scheme employer (4):

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Membership will be for 4 year renewable periods with a maximum of 8 years..

5. Termination

A member should cease their office where:

A member has a conflict of interest which cannot be managed in accordance with the Board's conflicts policy;

A member dies or becomes incapable of acting;

A member who is a councillor of the Administering Authority is appointed to a Superannuation Fund Committee;

A member is appointed to the role of an officer of the Administering Authority with responsibility for the discharge of functions under the Regulations;

A member resigns.

A representative member ceases to represent his constituency, for example if an employer representative leaves the employment of his employer and therefore ceases to have the capacity to represent the Fund's employers; and

A member fails to attend 2 consecutive meetings or otherwise comply with the requirements of being a Board member, for example fails to attend the necessary knowledge and understanding training.

6. Terms of Reference

The board will assist the Superannuation Fund Committee to secure compliance with the requirements of the LGPS Regulations and of the Pensions Regulator.

The board will receive regular reports on governance and compliance issues.

7. Officer Support

The KCC Corporate Director of Finance and Procurement will be responsible for providing professional advice to the board.

Meeting agendas will be prepared and published by KCC Democratic Services, papers will be available on the KCC website and KCC Democratic Services will minute meetings and publish the minutes on the KCC website.

8. Number of Meetings

The board will meet twice a year in Sessions House, Maidstone. Additional meetings will be called if the volume of business makes it necessary.

9. Quorum

A minimum of 4 members will need to be present for the board to be quorate.

10. Substitutes

Substitutes will not be allowed given the highly technical nature of the work undertaken.

11. Expenses

Members of the board will be paid travel expenses for attending the meeting.

Any expenditure the board proposes to incur will need to be agreed in advance by KCC's Head of Financial Services.

12. Data Protection

All members of the board will be required to comply with KCC's data protection and information security policies.

By: Gary Cooke, Cabinet Member for Corporate Services
Peter Sass, Head of Democratic Services

To: Selection and Member Services Committee –22 May
2015

Subject: Appointment of Trustee to the Molyneux Almshouses,
Rusthall

Classification Unrestricted

FOR DECISION

Introduction

1. *The Molyneux Almshouses* is a Charity (Reg 213895) which provides amenity and unsupported housing for older residents living in Tunbridge Wells.
2. According to the Charity Commission Approved Scheme of 1986, the Body of Trustees consists of “nine competent persons” comprising 5 Co-optative Trustees and 4 Nominative Trustees. Of this latter category, one is to be appointed by Kent County Council.
3. The Clerk to the Trustees has recently corresponded with KCC to explain that there has been no KCC-appointed Trustee since Mr Peter Chambers (who was not a KCC Member) retired in 2011. Whilst recognising that KCC has been unable to fill this position from amongst its own Members, the Body of Trustees is very keen to re-establish its link with KCC and has asked if the County Council would agree to appoint someone suggested by the Trustees themselves. This would enable the Charity to retain its links with KCC until KCC was able to fill the position from within its ranks, whilst keeping the number of Trustees at a reasonable level without having to go through the laborious process of attempting to amend its scheme.
4. The Trustees have therefore asked the County Council to consider appointing Ms Carolyn Cohen who was the Head Teacher at Rusthall St Paul’s CE Primary School from 1999 to 2013. Ms Cohen’s resume is enclosed at Appendix 1 to this report.
5. According to the scheme, “the person appointed may be but need not be a member of the appointing council.” Appointments are made for a term of four years. It is suggested that, on this occasion, the appointment be for the duration of the present County Council

RECOMMENDATIONS:

6. The Committee is invited to appoint Ms Carolyn Cohen as its representative to serve on Body of Trustees of The Molyneux Almshouses for the remainder of the Council's term whereupon the position will be reviewed.

Peter Sass: Head of Democratic Services

Officer Contact: Andrew Tait
Democratic Services Officer 03000 416749

Resume

Name **Carolyn Cohen**

D O B

K.C.C. Employment History

1988 to 1999 Bidborough C.E. Primary School
Class Teacher
Language Coordinator
Special Needs Manager
Deputy Headteacher

1999 to 2013 Headteacher St.Paul's C.E. Junior School
Headteacher Rusthall St Paul's C.E.Primary School
(following amalgamation)

I retired in August 2013 after 25 years service with KCC.

As a senior Headteacher I took the lead in cross town initiatives mainly

Child Protection/Safeguarding delivering training to other schools and working closely with outside agencies.

Managed Moves and behavioural

Community Leadership - St Paul's was the area Pilot School

Rochester Diocesan Church School Leadership - I was involved in training for new Heads

Current Roles

Since retirement I am actively involved with the Alzheimers Society and I am a Dementia Friend.I have undertaken training with the Society and I am a relief Leader at the day centres in Tonbridge and Tunbridge Wells covering when staff are absent.

I am an invigilator at Bennet Memorial School supporting students with additional needs during exam season.

What I would offer to the Trust

In my role as Headteacher I was actively involved in Safeguarding and Health and Safety and I would bring my training and experience to my role at the trust.

I have many years of experience in interviewing which may be useful in interviewing prospective candidates.

I have served on Panels for oversubscription to schools,and the Panel for SEN funding applications and I am experienced in applying set criteria to applications.

I am trained and have a special interest in Accessibility and equal access to all groups as I have a disabled Mother and through my training and experience with the Alzheimers Society.

Carolyn Cohen

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*CC Consulting *

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