



GOVERNANCE COMMITTEE

TUESDAY, 1 MARCH 2022

10.30 AM (OR AT THE CONCLUSION OF THE CABINET, WHICHEVER IS THE LATER)
COUNTY HALL, LEWES

MEMBERSHIP - Councillor Keith Glazier (Chair)
Councillors Nick Bennett, Chris Collier, Rupert Simmons and David Tutt

A G E N D A

1. Minutes of the meeting held on 25 January 2022 (*Pages 3 - 4*)
2. Apologies for absence
3. Disclosures of interests
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
4. Urgent items
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.
5. Pay Policy Statement (*Pages 5 - 12*)
Report by Chief Operating Officer
6. Review of Members' Allowances (*Pages 13 - 30*)
Report by Assistant Chief Executive
7. East Sussex Pension Board - Appointment of Member (*Pages 31 - 32*)
Report by Chief Finance Officer
8. Any other non exempt items previously notified under agenda item 4
9. Exclusion of Public and Press
To consider excluding the public and press from the meeting for the remaining agenda items on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), namely information relating to any individual.
10. East Sussex Pension Board (*Pages 33 - 38*)
Report by Chief Finance Officer
11. Any other exempt items considered urgent by the Chair

PHILIP BAKER
Assistant Chief Executive
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21 February 2022

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GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held at County Hall, Lewes on 25 January 2022.

PRESENT Councillors Keith Glazier (Chair), Nick Bennett, Chris Collier, Rupert Simmons and David Tutt

ALSO PRESENT: Councillor Trevor Webb

33. MINUTES OF THE MEETING HELD ON 9 NOVEMBER 2021

33.1 RESOLVED – that the minutes of the previous meeting of the Committee held on 9 November 2021 be confirmed and signed as a correct record.

34. REPORTS

34.1 Copies of the reports referred to below are included in the minute book.

35. SIZE OF THE PLANNING COMMITTEE

35.1 The Committee considered a report by the Assistant Chief Executive on the size of the Planning Committee.

35.2 The Committee RESOLVED to agree not to recommend any change to the size of the Planning Committee.

36. APPOINTMENT TO OUTSIDE BODY - VIRIDOR IN EAST SUSSEX BOARD

36.1 The Committee considered a report by the Director of Communities, Economy and Transport on the appointment of a county councillor and an officer to the Viridor in East Sussex Board.

36.2 The Committee RESOLVED to appoint Councillor Claire Dowling and the Waste Team Manager to the Viridor in East Sussex Board for the period to June 2025.

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Report to: Governance Committee

Date of meeting: 1 March 2022

By: Chief Operating Officer

Title: Pay Policy Statement

Purpose: To consider the pay policy statement for 2022/23

RECOMMENDATIONS

The Governance Committee is recommended to recommend to the County Council the updated pay policy statement for 2022/23 as set out in Appendix 1.

1 Background

1.1 The Localism Act 2011 requires local authorities to formulate and publish a pay policy statement on the pay of its Chief Officers and the relationship between these pay levels and the rest of the workforce, excluding schools. This policy statement has to be approved annually by full Council by 31 March.

1.2 At its meeting on 27 March 2012, County Council agreed that the Governance Committee should have formal responsibility for the approval of posts at Chief Officer, Deputy Chief Officer and Assistant Director level with a remuneration package of £100,000 or more, provided the existing grade bands and terms and conditions are applied and any proposed exceptions to these are reported to full County Council. The actual appointment decision will continue to be made using existing delegations. Any proposed exceptions to this would require the approval of the full County Council.

2 Pay Policy Statement

2.1 The Localism Act 2011 requires local authorities to prepare an annual pay policy statement relating to the remuneration (total pay package) of its Chief Officers, as defined by statute, Deputy Chief Officers (and, by definition, Assistant Directors), the Monitoring Officer and its lowest-paid employees, excluding schools. The pay policy also has to state the relationship between the remuneration of Chief Officers and the remuneration of its employees who are not Chief Officers.

2.2 The Hutton report on Fair Pay in the Public Sector recommended the publication of an organisation's pay multiple as a means of illustrating the relationship between the remuneration arrangements for Chief Officers in comparison with the rest of the non-schools workforce. This is a calculation in the form of a ratio between the median average earnings across the organisation and the highest paid employee. The ratio is currently (March 2021) 6.89:1. The pay multiple is published on our website with the Pay Policy Statement and will be updated in March 2022.

2.3 It is necessary to include definitions and the authorities' policies relating to levels and elements of remuneration including all additional payments and benefits in kind. The statement must also indicate the approach to the payment of Chief Officers on ceasing employment, including eligibility for the award of additional pensionable service and on the engagement or re-engagement of Chief Officers previously made redundant or accessing a local government pension.

2.4 The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 placed a new requirement on all employers with 250 or more employees to publish gender pay data on the gov.uk website by 30 March each year. The median gender pay gap for 2021/22 is 13.9%; the gender pay report for East Sussex County Council is published on our website, along with the Pay Policy Statement.

3. Recommendations

3.1 The Governance Committee is recommended to recommend to the County Council the updated pay policy statement for 2022/23 as set out in Appendix 1.

Phil Hall
Chief Operating Officer

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Pay Policy Statement

Date: February 2022

Approved by East Sussex County Council at its meeting on XX

Document summary

Policy on the pay of Chief Officers, Deputy Chief Officers and Assistant Directors in relation to the rest of the local government workforce, excluding schools.

Enquiries

Pay and Reward Team, 01273 481867

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Key points

- The annual pay policy statement will be approved by full Council each year and published on the Council's website by 31 March.
- Elected members will take decisions on all matters concerning the pay of Chief Officers and Deputy Chief Officers through the Governance Committee including approval of any annual pay award. This Committee also approves any annual pay award offered to managerial staff employed on local pay and conditions.
- The Chief Officer salary bands are published on the County Council's website, along with the salary scales for all other staff groups.
- The County Council uses job evaluation to determine the grade of its posts and has adopted two schemes: the HAY scheme for managerial posts and the NJC (local government) Single Status scheme for staff below management level.

1. Background to the pay policy statement

- 1.1. The Localism Act 2011 requires local authorities to prepare a pay policy statement for each financial year. This statement has to be approved by the full County Council, annually.
- 1.2. The statement must set out the authority's policies for the financial year relating to the remuneration of its Chief Officers, the remuneration of its lowest paid employees and the relationship between the remuneration of its Chief Officers and the remuneration of its employees who are not Chief Officers.

2. Definitions

- 2.1. **Chief Officers:** Statutory and non-statutory Chief Officers of the County Council, all of whom report to the Chief Executive as the Head of the Authority's paid service. This definition is based on the interpretation provided in the Localism Act with reference to the Local Government and Housing Act 1989.
- 2.2. The Localism Act specifies that the **Monitoring Officer** is also included. This Officer is paid at Assistant Director level. (See paragraph 2.3, below).
- 2.3. **Deputy Chief Officers:** All posts reporting directly to a Chief Officer, whether paid on Deputy Chief Officer pay bands or Assistant Directors paid on Local Managerial Grades. This definition is based on the interpretation provided in the Localism Act with reference to the Local Government and Housing Act 1989.
- 2.4. **Lowest paid employees:** all staff paid on the lowest salary point of the local single status pay spine; currently (March 2021) £17,842 per annum for full time staff. All non-managerial employees are paid on a pay spine which commences at this level, hence the selection of this point as the lowest salary point.
- 2.5. The Localism Act defines **remuneration** as including; salary under a contract of employment or payments made under a contract for services, bonuses, charges, fees or allowances, any benefits in kind, any enhancement to pension entitlement and any amounts payable on the Chief Officer ceasing to hold office.

- 2.6. The publication of the **‘pay multiple’** as a determinant of the relationship between the pay of Chief Officers and that of the rest of the workforce was recommended by the Hutton report on Fair pay. This is a calculation in the form of a ratio between the median average earnings across the organisation and the highest paid employee. The pay multiple will be published on the County Council website and monitored annually.

3. Remuneration of Chief Officers

- 3.1. The Chief Executive, Directors and Deputy Directors of the County Council are paid on local pay bands for Chief Officers and Deputy Chief Officers. These posts are evaluated using the Hay job evaluation scheme and are paid on the relevant band according to the size of their job as determined on the job evaluation scheme.
- 3.2. Assistant Directors are defined as ‘Deputy Chief Officers’ for the purposes of the Localism Act as they report directly to Chief Officers. These posts are also evaluated using the HAY job evaluation scheme and paid on the County Council’s Local Managerial Grades (LMG). All the County Council’s managers are paid on these scales and have a common scheme of terms and conditions of service.
- 3.3. The County Council’s salary scales are published on the County Council website <https://www.eastsussex.gov.uk/jobs/benefits/pay/>
- 3.4. In accordance with standard council policy, new employees are normally appointed to the minimum point of the pay scale unless there is a good reason for appointment at a higher point on the scale. This would be approved at a senior level and, in the case of Chief Officer appointments, by the Chief Executive in consultation with the Lead Member.
- 3.5. Incremental progression within a salary band would normally take place on 1 April each year until the maximum point of the scale is reached and is subject to the achievement of agreed operational targets. This is standard policy for all managers across the County Council.
- 3.6. Annual pay awards for Chief Officers and Deputy Chief Officers are subject to local pay determination by the Governance Committee. Annual pay awards for managers paid on Local Managerial Grades, including Assistant Directors, are negotiated with UNISON annually and approved by the Governance Committee. These pay awards are determined with reference to economic indicators including the rate of inflation (CPI), turnover rates, level of other public sector pay awards and market position. The local pay awards for these staff groups were 2% in 2017/18, 2% in 2019/20 and 2.75% in 2020/21. The pay award for 2021/22 will be determined by the Governance Committee following negotiations with UNISON.

4. Remuneration of employees who are not Chief Officers

- 4.1. The remuneration of employees below management level is subject to the ‘National Agreement on Pay and Conditions of Service of the National Joint Council for Local Government Services’ commonly known as the ‘Green Book’.

- 4.2. The 'Green Book' contains a national basic framework for conditions of service but also allows for local variation on certain specified conditions of service, including the pay structure. The County Council and the local trade unions have been working closely together over a number of years to implement these local variations via Local Collective Agreements. In broad terms, these have provided for a range of changes to terms and conditions of employment, including the following:
- the adoption of the National Joint Council Job Evaluation Scheme for determining the grade of posts on the local single status pay spine;
 - the implementation of local East Sussex Single Status pay scales containing 13 non-overlapping grades with consistent incremental steps. A copy of the current set of pay scales is published on the County Council's website.
 - a harmonised arrangement of paying up to two additional increments for work undertaken at weekends within the normal working week.
- 4.3. The locally negotiated pay awards, which mirror the nationally negotiated pay awards, have been applied to the local single status pay scales since their introduction in 2003.
- 4.4. Staff, who are not Chief Officers, working in Education Advisory roles or as Educational Psychologists are paid according to the national salary framework for Soulbury staff with associated terms and conditions.

5. Other elements of remuneration

- 5.1. The County Council does not operate a formal performance-related pay system and therefore there are no bonus payments, earn back systems or other regular payments paid to Chief Officers beyond the annual increments referred to in paragraph 3.5 above.
- 5.2. The County Council's honorarium scheme applies to all staff, including Chief Officers, and rewards the performance of additional duties and responsibilities over and above an employee's normal workload for a temporary period. It includes reward for an exceptional contribution to a project or piece of work and for high standards of personal achievement and quality of work. There are three levels of payment against specified criteria and a payment of 2.5%, 5.0% and 7.5% of salary may be awarded for the period during which the additional duties/responsibilities were undertaken. The decision to award an honorarium payment to a Chief Officer would be taken by the Chief Executive and in the case of the Chief Executive; the Leader of the Council.
- 5.3. The County Council does not award additional fees to Chief Officers for undertaking local election duties.
- 5.4. The County Council's special merit payment scheme, which allows a flat rate payment of up to £1000 in recognition of a particular "one-off" contribution or a substantially increased workload, applies to all staff, including Chief Officers. The decision to award a merit payment to a Chief Officer would be taken by the Chief Executive and in the case of the Chief Executive, the Leader of the Council.
- 5.5. Out of pocket expenses incurred during the course of employment will be met by the County Council provided that the expenses are directly related to employment and are approved as reasonable. This is in line with standard County Council policy.

- 5.6. The standard County Council mileage payments are also paid to Chief Officers for mileage travelled on Council business. These are 45p per mile for contracted car users, 25p per mile for optional car users, 20p for travel in connection with training and 12p per mile for leased car users.
- 5.7. The County Council operates a car leasing scheme which is open to all employees but only attracts an employer contribution for staff who are expected to travel at least 4000 business miles per annum and leased car users are then reimbursed the 'fuel' element of their business travel. The employer contribution is £1600 per annum and the higher contribution for travel in excess of 7500 miles per annum is £2675.
- 5.8. The County Council has a market supplements policy that provides for an additional payment to aid the recruitment and retention of staff that work in areas where there is evidence of a skills shortage. These are rarely applied and have to be approved by the Chief Executive and relevant Chief Officer.

6. Relationship between the remuneration of Chief Officers and that of the wider workforce

- 6.1. Apart from the differences in pay scales as described in paragraph 3 above, there are minimal differences in entitlement to remuneration between Chief Officers, Deputy Chief Officers and the rest of the workforce as the County Council is working towards harmonisation of terms and conditions of service between staff groups. The main differences between the remuneration of employees below managerial level and the local managerial grades are:
- i) Managers employed on local terms and conditions are not entitled to payment of any additional allowances beyond the basic rate of pay whereas employees below management level are able to claim for regular working outside standard working hours, for example, overtime or weekend working increments.
 - ii) Managers employed on local terms and conditions have their annual pay award approved locally by the Governance Committee, as described in paragraph 3.6, whereas employees below management level usually receive an award in line with the national pay award.
- 6.2. The 'pay multiple' will be calculated each year and will be published on the County Council's website with other pay information suggested in the code of recommended practice on data transparency. Historical information will be retained in order to monitor the pay multiple over time.

7. Tax Avoidance

- 7.1. The Council is committed to tackling all forms of tax avoidance and therefore encourages the direct employment of staff and pays them via the payroll system. In a few circumstances where it is more appropriate to engage people on a self-employed basis, the Council offers a contract for services and follows guidelines to ensure that the correct employment status is identified. When a need arises for an 'interim' appointment, recruitment is normally secured using the Council's agency contract arrangement.

8. Appointment or Re-engagement of Chief Officers

- 8.1. Posts with proposed salary packages greater than £100,000 will be approved by the Governance Committee prior to appointment, provided the salary package being considered is in line with existing pay scales that also apply to other Chief Officers and Deputy Chief Officers undertaking similar duties and responsibilities. Chief Officers and Deputy Chief Officers will be appointed on one of the established grade bands appropriate to the post. Any proposed exceptions to this would require the approval of the full County Council.
- 8.2. The policy for appointing or re-engaging any member of staff who has previously been made redundant by this authority, or who is in receipt of a local government pension is that there should be a presumption against re-employment of employees for a period of 12 months following the end of their employment. However, in exceptional circumstances employees may be re-employed by the Council. In approving a re-employment of a Chief Officer, Members will need to be satisfied that:
- the employee is not being re-employed in a role or capacity which is broadly similar to the role from which they were made redundant;
 - the rate of pay applied to the work undertaken by the re-engaged employee should be appropriate to the work to be done and not the grading which applied to the employee prior to the end of their current contract;
 - the employment should be for a fixed term, not exceeding one year, unless there are exceptional circumstances, and the arrangement must provide financial / operational advantage to the Council.

9. Termination of Employment of Chief Officers

- 9.1. Any compensation payments made to Chief Officers and Deputy Chief Officers on ceasing to hold office or to be employed by the authority will be made on the same basis as any other employee in line with the County Council's 'managing change' policies.
- 9.2. The Local Government Early Termination of Employment (Discretionary Compensation) England and Wales Regulations 2006 require local authorities to formulate and publish their policy on making discretionary payments on early termination of employment within the parameter of up to 104 weeks' pay. In the event of an employee being made redundant or applying for voluntary severance, the County Council's managing change policy contains details of the circumstances in which a redundancy payment is payable. The payment is calculated on the basis of the statutory redundancy payment multiplied by 1.75. This equates to a maximum of 52.5 weeks' pay. For the purposes of calculating the enhanced (non statutory) proportion of this payment, the employee's gross weekly salary will not be considered to include pension contributions made by the employer, or any other payments that are not normally made direct to the employee.
- 9.3. The Local Government Pension Scheme regulations provide for access to pension benefits without reduction from the age of 55 in the event of an employee being made redundant.
- 9.4. Where a severance package for an individual employee exceeds £30,000 it must be approved by the Chief Executive. A severance package that exceeds £100,000 must be approved by the Governance Committee with the components of the package listed separately.

Report to: **Governance Committee**

Date: **1 March 2022**

By: **Assistant Chief Executive**

Title of report: **Review of Members' Allowances**

Purpose of report: **To consider the proposals recommended by the Independent Remuneration Panel**

RECOMMENDATIONS

To recommend the County Council to approve:

- 1) the recommendations of the Independent Remuneration Panel as set out in their report: and**
 - 2) the Scheme of Members' Allowances set out at Appendix 2 (subject to the pending increase in line with indexation provision) with effect from 1 April 2022.**
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1. Background Information

1.1 The Independent Remuneration Panel is required, by the Local Authorities (Members' Allowances) (England) Regulations 2003, to make recommendations to the Council on allowances paid to Councillors. In 2017, the Council agreed that the Panel be asked to review the Scheme every 4 years in accordance with the Regulations unless the Assistant Chief Executive considers that there is a change in circumstances that justifies an earlier review or a request is received from a Group Leader.

1.2 The Independent Remuneration Panel was appointed by the Governance Committee in April 2019 and consists of three members, Daphne Bagshawe, Duncan Keir and Fiona Leathers.

1.3 As part of their review the Independent Remuneration Panel took into account information provided including comparative information from other County Authorities.

1.4 In order to capture the views of Members, all councillors were contacted regarding the review of the Scheme of Allowances and given an opportunity to submit written representations and/or to make representations in person to the Panel. A summary of the written comments received is attached to the Panel's report. A questionnaire was also sent to all councillors in order to gain some insight regarding the time spent on various activities related to the role of a councillor. As part of its deliberations, the Panel considered the responses received.

1.5 A copy of the Independent Remuneration Panel report is attached at Appendix 1. The proposed Members' Allowances Scheme is attached at Appendix 2. The proposed Scheme reflects current rates and as such are pending the outcome of staff pay award, so will increase for 2021/22 and 2022/23 in line with the index agreed by Council.

1.6 The Independent Remuneration Panel is required to review allowances based on the facts and information provided to it. The Governance Committee is asked to make recommendations to the County Council on whether to accept, reject or modify the recommendations. Councillors are required to give due consideration to the recommendations of the Panel but are not bound by them.

2. Summary of findings

2.1 The Regulations allow for the Members' Allowances Scheme to make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority. Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the Independent Remuneration Panel. For the last four years the allowances have been indexed to the percentage increase in the salaries of managers who are on locally negotiated pay. The Independent Remuneration Panel recommend that the annual increase in basic and special responsibility allowances continues to be linked to the pay award to LMG managers.

2.2 Having reviewed the level of basic and special responsibility allowances currently paid the Panel recommends that the level of these allowances remain unchanged.

2.3 In addition to Basic Allowance and Special Responsibility Allowances (SRA), the Panel considered other aspects of the allowances scheme including subsistence levels, travel and dependent carer's allowance.

2.4 In summary, the Panel are recommending:

- a) The continued use of an index to allow for annual increases in basic and special responsibility allowances for 2022/23 and beyond and that the index be the pay award for LMG managers
- b) The basic allowance should remain unchanged
- c) The SRA payable to the Leader of the Council should remain unchanged
- d) The SRA for the Deputy Leader and other Cabinet members should remain unchanged
- e) The SRA for Chairs of Scrutiny Committees, the Audit Committee, Pension Committee and Planning Committee should remain unchanged
- f) The SRA for the Chairman and Vice Chairman of the Council should remain unchanged
- g) All other SRAs should remain unchanged
- h) The basic mileage rate and supplement for passengers should remain at 45p and 10p per mile respectively and that the bicycle allowance remain at 20p per mile
- i) The dependent carers allowance should remain at the actual cost up to £15 per hour
- j) Co-optees should continue to be able to claim mileage for travel to meetings and continue to be able to claim dependent carer's allowance

2.5 The Independent Remuneration Panel recommends that the new scheme is effective from 1 April 2022.

PHILIP BAKER
Assistant Chief Executive

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Local Members: All
Background Docs: none

East Sussex County Council
Report of the Independent Remuneration Panel 2022

1. Background

1.1 The Independent Remuneration Panel (IRP) is required, by the Local Authorities (Members' Allowances) (England) Regulations 2003, to make recommendations to the Council on allowances paid to Councillors. In March 2013, the Council agreed that the Panel be asked to review the Scheme every 4 years in accordance with the Regulations unless the Assistant Chief Executive considers that there is a change in circumstances that justifies an earlier review or a request is received from a Group Leader. The Panel must produce a report making recommendations on:

- (a) the responsibilities or duties in respect of which the following should be available:
 - (i) Special Responsibility Allowances (SRA);
 - (ii) travelling and subsistence allowance; and
 - (iii) co-optees' allowance;
- (b) the amount of such allowances and as to the amount of basic allowance;
- (c) whether dependants' carers' allowance should be payable to members of an authority, and as to the amount of such an allowance;
- (d) whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with regulation 10(6);
- (e) whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed.

1.2 The last full review of the ESCC Members Allowances Scheme was in 2021. The Regulations allow for the Members' Allowances Scheme to make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority. Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the Independent Remuneration Panel. For the last four years the allowances have been indexed to the percentage increase in the salaries of managers who are on locally negotiated pay. In October 2021, the County Council agreed the Panel's recommendation that this continue for 2021/22 but when the Panel reviewed the Scheme for 2022/23 consideration be given as to whether an index should be used and, if so, what the index should be.

1.3 Since the review of the scheme undertaken in 2021 there have been no changes to the decision making structure of the County Council.

2. The principles of the East Sussex scheme

2.1 The Panel has previously used the following principles when framing its recommendations:

- The review should take into account the value of the work undertaken by Members of the County Council and of the functions carried out by the Council.

- The system of allowances should acknowledge that public service, rather than material reward, should remain the primary motivation for involvement in local government.
- The scheme should be fair in terms of relevant comparisons with other public bodies.
- The system for the payment of Members' allowances should be simple to understand and administer.
- The scheme for Members' allowances should take into account the desirability of attracting people to take part in local government who reflect the population of East Sussex.
- The scheme should have regard to statutory guidance and relevant comparative information including local wage rates.
- SRAs should only be paid to reflect significant and exceptional additional work.

2.2 The Panel agreed that these principles should continue to be used when considering the Members' Allowances Scheme.

3. The review process

3.1 The Panel met during 2022 to consider information relevant to the review. All councillors were contacted regarding the review of the scheme of allowances and given an opportunity to submit written representations and/or to make representations in person. A summary of the written representations received is attached at Appendix 1.

3.2 At the Panel's request, a questionnaire was sent to all councillors in order to gain some insight regarding the time spent on various activities related to their role. The responses received were considered by the Panel as part of its deliberations.

3.3 The Panel is required to review allowances based on the facts and information provided to it. Although the Panel is not required to take into account the financial position of the County Council it was mindful of this factor and the impact of coronavirus. It is for County Councillors to decide whether to accept, reject or modify the Panel's recommendations in the light of current budgetary constraints.

4. The Scheme of Allowances

4.1 Annual increments for all allowances

The Panel has previously agreed that the all Member allowances rise incrementally each year in line with increases awarded to ESCC LMG managers. Over the last six years, these have been:

Year	Percentage increase in ESCC LMG salaries
2021/2022	Not yet agreed
2020/2021	2.75%
2019/2020	2%
2018/2019	2%

2017/2018	1%
2016/2017	1%

4.2 In reviewing whether an index should be used, and if so what the index should be, the Panel considered the arrangements in place at other County Councils.

4.3 Having reviewed the position the Panel see no reason to change the provision for annual increments and recommend that:

- **The basic and special responsibility allowances continue to be adjusted annually in line with the Local Manager Group pay award**

5. Basic Allowance

5.1 The Panel considered all statements presented and compared the allowance with neighbouring and other similar sized county authorities.

5.2 The basic allowance for these authorities at the time of the Panel's report being finalised was as follows:

County Council (in order of population size)	Basic Allowance (no. of councillors)
Kent	£15,406 (81)
Essex	£12,000 (76)
Hampshire	£12,833 (78)
Surrey	£12,748 (81)
West Sussex	£12,202 (70)
Oxfordshire	£11,013 (63)
Cambridgeshire	£10,568 (61)
East Sussex	£13,149 (50)

5.3 This table shows that the East Sussex County Council basic allowance is comparable with other authorities and at the current time the Panel is not proposing any increase to the basic allowance.

5.4 **The Panel recommends that the basic allowance remains at £13,149 for 2022/23 (subject to any change arising from the index link to the LMG pay award)**

6. Special Responsibility Allowances (SRAs)

6.1 In reviewing the SRAs the Panel considered representations that had been made and was mindful of the principle that SRAs should only be paid to reflect significant and exceptional additional work.

6.2 SRAs are currently paid in respect of the following roles:

Role	No.	Amount (per councillor)
Leader	1	£36,817
Deputy Leader	1	£18,792
Other Cabinet Members	5	£16,107
Scrutiny Chairs	3	£6,711
Chair of Planning Committee	1	£6,711
Chair of Pension Committee	1	£6,711
Chair of the Audit Committee	1	£6,711
Chairman of the County Council	1	£13,420
Vice-Chairman of the County Council	1	£5,374
Leader of the largest Opposition Group	1	£13,420
Deputy Leader of the largest Opposition Group	1	£3,487
Leader of the second largest Opposition Group	2	£5,374 in total £2,687 for each co-leader
Chairs of Scrutiny Review Boards		£1,341

6.2 Having reviewed the various SRAs, the Panel recommends that all SRAs remain unchanged (subject to any change arising from the index link to the LMG pay award) and that no additional SRA is payable for other work/roles.

7. Travel and subsistence

7.1 The basic mileage rate (45p per mile) reflects the rate recommended by the Inland Revenue. The current scheme also allows for an additional payment of 10p per mile for each passenger carried to encourage car sharing and to reduce pressure on parking. The scheme also includes a bicycle allowance of 20p per mile.

7.2 The Panel recommends that the basic mileage rate and supplement for passengers remain at 45p and 10p per mile respectively and that the bicycle allowance remain at 20p per mile. The Panel also recommends that the subsistence rates remain unchanged.

8. Dependent carer's allowance

8.1 The Scheme allows for payment of a dependent carer's allowance of the actual cost up to a maximum of £15 per hour. This was increased from £10 per hour when the Scheme was agreed by the Council in October 2021.

8.2 The Panel recommends that the dependent carer's allowance should be unchanged and remain at the actual cost up to £15 per hour.

9. Co-optees' Allowance

9.1 The Panel noted that co-optees are currently able to claim:

- mileage for their travel to meetings of their respective bodies or to boards when appointed; and
- dependent carer's allowance for the actual cost up to £15 per hour

9.2 The Panel recommends that this remains unchanged and that no other allowance should be payable.

10. Other issues

Maternity and Paternity Leave

10.1 The Panel welcomed the fact that a Maternity and Paternity Leave Policy for councillors had been agreed by the Council in October 2021.

Representation on the Council

10.2 The Panel recommends that the political groups and the Council be proactive in encouraging a greater cross section of the community to stand for election in order to increase the diversity of councillors on the Council. It was noted that the basic allowance had increased by nearly 9% in 2017, partly with the intention of encouraging a greater cross section of the community to stand for election.

Effective Date

10.3 The Panel recommends that the Scheme of Allowances for councillors takes effect from 1 April 2022

Conclusion

The Panel would like to thank councillors for their contributions and views in assisting the Panel to reach its decisions.

Daphne Bagshawe (Chair of the Panel)
Duncan Keir
Fiona Leathers

Written comments received from County Councillors

Thank you for email, not sure how to reply but didn't want to ignore.

I'm for not increasing the allowances as I feel they are more than adequate for any expenses we incur.

Just my opinion.

Overall I am in favour of members being paid a suitable salary that is weighted to the responsibility of their position. A suitable salary will help to attract a younger member and perhaps a more able member who may consider this as a career choice as long as they are paid for it. There is also the view that a £400 million business being run by a part time board of directors who are not paid will not necessarily provide the best service.

Now, members allowances will always be a political fight and we must take the political sting out of this.

Last year I attended the budget setting meeting of Wealden District Council which is Conservative controlled and the Liberal Democrats are the opposition party. There was a proposal to increase members allowances.

The broad main discussion points were objections from the Liberal Democrats to raising the members allowances as times are hard for the council tax payers and we should show some leadership, join the taxpayer in making sacrifices as some of the tax payers may not be able to afford the tax rises. So we should not vote for a members pay rise. The broad Conservative response was, members work hard for the community and deserve to be rewarded for their efforts. Some members really do need this increase to allow them to continue in their role.

On that very same evening I attended the Budget meeting of Hastings Borough Council which is Labour controlled and the Conservatives are the opposition. There was a proposal to increase members allowances there too.

This time the Conservatives were proposing not to increase members allowances using the exact same arguments and Wealden Liberal Democrats i.e times are hard and we should show some leadership in not voting to increase the members allowances. The responses from the controlling Labour group on HBC were the same as Wealden Conservatives , i.e. members deserve their allowances and some members need the increase to continue in their role.

In both cases the increases in members allowances was voted though by the majority controlling group. It would not be surprising at all if there were other councils in the country with Liberal Democrat control and either Labour or Conservative opposition using the same arguments with the same results.

Three political parties all using the same arguments on allowances, so we must find a way to take the political sting out of this.

Here's what I propose to take the political sting out of it all and be fair to the taxpayer

1. The Independent panel examines all the evidence, sets the allowances using all

the available information with weighting, comparisons with other Councils and Government guidelines. Etc.

2. The increase, if any, takes place after the next election in a 4 year cycle. That way members are not voting themselves a pay rise but are setting up a system for the future. As who knows what the next election will bring? This is a practice that is common in the USA and we should adopt the same premise.

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Scheme of Members' allowances 2022/23 – Appendix 2

1. Basic Allowance

From 1 April 2022, every elected member will be entitled to a basic allowance of £13,149 per annum.

2. Special Responsibility Allowance

Special responsibility allowances will be paid as follows per annum:

1. Leader of the Council - £36,817
2. Deputy Leader of the Council - £18,792
3. Other Cabinet Members - £16,107
4. Chairman – County Council - £13,420
5. Vice Chairman – County Council - £5,374
6. Chairs of Scrutiny Committees - £6,711
7. Chair of the Planning Committee - £6,711
8. Chair of the Pension Committee - £6,711
9. Chairs of Scrutiny and Best Value Project Boards (pro rata for the duration of the project subject to a maximum of 3 months) - £1,341
10. Leader of the largest Opposition Group - £13,420
11. Deputy Leader of the Largest Opposition Group - £3,487
12. Leader of the second Opposition Group - £5,374
13. Chair of the Audit Committee - £6,711

No one member shall receive more than one special responsibility allowance. If a member holds two positions which qualify for such an allowance the member shall receive the higher of the two allowances.

3. Travel Allowances

Travel allowances will be paid, in accordance with the rates set out in Annex 2 for:

- a) attendance at meetings of (a) the County Council; or (b) the Cabinet or any Committee, Sub-Committee or Panel constituted by the Council as a member of the Cabinet or such Committee, Sub-Committee or Panel or as the local member or because the member has a special interest in one or more of the agenda items.
- b) Attendance at meetings of the bodies, or any Committee or Sub-Committee meeting of those bodies, listed in Annex 1: provided that the appointment or nomination to those bodies was by the County Council.
- c) Attendance at any other meeting convened by the authority (including members' seminars and Committee or Sub-Committee tours of inspection),

provided that members of each of the political groups on the County Council have been invited and the meeting has been approved in advance by the appropriate Committee or Sub-Committee.

d) Attendance at training sessions organised by, or on behalf of, the County Council to which members of each of the political groups have been invited and which have been approved in advance by the Assistant Chief Executive after consultation with the Group Leaders.

e) Attendance at committees of Eastbourne and Hastings Borough Councils where such attendance is by invitation in order to participate in the debate on a delegated highway matter.

f) Attendance at a conference or seminar convened by an organisation other than the County Council, provided attendance has been authorised in advance by the Council, a Committee, Sub-Committee or Panel or by the Assistant Chief Executive under his delegated power.

g) Attendance at meetings of the Local Government Association, including Executive meetings, Forums, Panels and Task Groups, the County Councils Network and Special Interest Groups.

h) Attendances as the local County Councillor at formal meetings of Parish Councils and annual parish meetings.

i) Social Services rota inspection visits.

j) Up to 10 party group meetings summoned to discuss County Council business and held within East Sussex.

k) Visits to sites, establishments or exhibitions where a Committee, Sub-Committee or Panel resolves in advance that a visit is necessary to enable a decision to be made on a current issue.

l) Interviews or fact finding being undertaken as a member of a Project Board established by a Scrutiny Committee, as part of an agreed programme and in accordance with the Overview and Scrutiny Procedure Rules.

m) Meetings with officers, convened by the officer(s), to discuss a matter relating to a County Council service or in which the County Council has an interest as part of its community leadership role.

n) The following members may claim travel for consultations with persons or organisations outside the County Council and any other duty for or on behalf of the County Council:

- Chairman and Vice Chairman of the County Council, Chairs of a Committee, Sub-Committee or Panel or members of the Cabinet or a substitute nominated by them;

- Nominated Committee or Sub-Committee Spokespersons of minority parties.

4. Subsistence Allowances

Subsistence allowances up to the limits of the overnight subsistence rates in Annex 2 will be paid where the performance of one of the duties specified in paragraph 3 above involves an overnight stay. Otherwise a subsistence allowance shall not be payable. Members will be expected to meet any such expenses from their Basic Allowance.

In the following circumstances where the duty does not go over to a second day, the Council will meet the cost of an overnight stay:

a) following an invitation in their capacity as a postholder within the County Council, the member is undertaking an official duty or attending an official function and, because it finishes late in the evening, it is not practicable or reasonable for the member to get home on the same day, for example the member has another County Council engagement on the following morning and to go home and return for the following day's engagement would involve the member in a significant travelling claim when set against the cost of the overnight stay; or

b) a member has been appointed by the County Council to attend a conference or meeting outside of East Sussex and the start or finish time mean that it is impracticable or unreasonable for the member to travel to the venue or home on the day of the meeting or conference.

"Postholder" within this context shall cover those positions set out in paragraph 3 (n) of the Members' Allowances Scheme.

5. Dependents' Carers' Allowance

The Council will pay an allowance in respect of costs necessarily incurred by councillors in making arrangements for the care of children or other dependants living with them, to enable them to perform any of the duties listed in section 3 above. The allowance will normally be the actual cost up to £15 per hour. Councillors must sign a certificate verifying that they have incurred the costs claimed. Payment will not be made where the carer is a member of the councillor's family.

Anyone co-opted to a County Council committee, Panel or other body is entitled to claim dependent carer's allowance for the actual cost up to £15 per hour.

6. Telephones

The Council provides a mobile phone to any councillor who requests one on the basis that it is for County Council business use only.

7. Co-optees' Allowance

An allowance of £35 per hour shall be payable to the Independent Persons appointed in relation to standards issues.

8. Amendments to the Scheme

Amendments to the scheme may be made at any time in accordance with Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003.

The Assistant Chief Executive is authorised:

- after consultation with the Chief Executive, to implement revised rates for members' allowances, including payments for travelling and subsistence; and
- after consultation with the Chair of the Governance Committee, to approve additions to the list of outside bodies for which members may claim travelling expenses

and to amend the Members' Allowances Scheme accordingly.

The allowance figures shall be updated annually in line with the percentage increase in the salaries of managers who are on locally negotiated pay.

9. Payment of allowances

Basic and special responsibility allowances will be paid on the last working day of the month to which they relate. Travel expenses will be paid at the end of the following month, subject to receipt of a claim form.

Claims for travelling and subsistence allowances shall be submitted to the Democratic Services Manager within two months of the duty for which the allowance has been claimed. Claims received after the expiry of this period will only be paid in exceptional circumstances.

If a councillor becomes or ceases to be eligible for a Basic or Special Responsibility Allowance during the course of a year the entitlement will be adjusted by reference to the number of days for which entitlement existed relative to the number of days in that year.

Where a councillor is suspended or partially suspended from his or her responsibilities or duties as a member of the Council in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of Basic Allowance and any Special Responsibility Allowance payable to him or her in respect of the period for which he or she is suspended or partially suspended shall be withheld if so decided by the Standards Committee. The Committee may also decide that travelling or subsistence allowances shall not be paid to a member during the period of any suspension or partial suspension.

10. Election not to receive payment

Members who do not wish to receive payment of allowances shall notify the Assistant Chief Executive in writing. Any entitlement up to and including the day before the election is received will be paid in accordance with the details under paragraph 9 (Payments) above.

11 Councillor Parental Leave Policy

The County Council has agreed a Councillor Parental Leave Policy that sets out the arrangements in relation to councillors taking appropriate leave at the time of birth or adoption and that reasonable and adequate arrangements should be in place to provide cover for any special responsibilities during any period of leave taken. A copy of the Policy is attached at Appendix 1.

Annex 1 Other bodies to which the Authority makes appointments or nominations (and any Committee or Sub-Committee of these bodies)

- Access Joint Governance Committee
- Ashdown Forest Conservators
- Chailey Common Local Nature Reserve Management Committee
- Chailey Heritage Foundation Governing Body
- Coombe Valley Countryside Park Community Interest Company
- County Councils Network
- County Councils Network Executive Committee
- Corporate Programme Advisory Group of the Institutional Investors Group on Climate Change
- Dungeness Local Community Liaison Council
- East Sussex Energy and Infrastructure and Development Limited (Sea Change)
- Local Government Association
- European Union Structural and Investment Funds South East Committee
- Fostering Panel
- Gatwick Airport Consultative Committee
- GOSE – Rural Forum for the South East
- Harbour of Rye Advisory Committee
- Hastings and Bexhill Renaissance Limited (Sea Space)
- Hastings and Bexhill Taskforce
- Hastings Joint Parking Board
- High Weald – Joint Advisory Committee
- Joint Waste and Recycling Committee
- Lewes Joint Parking Board
- LGA General Assembly
- Love Hastings Limited
- Orbis Joint Committee
- Parking and Traffic Regulations Outside London Adjudication Committee

- Regeneration Partnerships to which the County Council is invited to nominate a Councillor to serve
- Rye Harbour Nature Reserve Management Committee
- Safer Communities Partnerships
- Sea Change Sussex
- South Downs National Park Authority
- South Downs National Park Authority Seven Sisters Country Park Stakeholder Advisory Group
- South East Employers' Organisation
- South East 7
- South East Local Enterprise Partnership Ltd
- Southern Regional Flood and Coastal Committee
- Sussex Energy Saving Partnership
- Sussex Inshore Fisheries and Conservation Authority
- Sussex Police and Crime Panel
- Viridor in East Sussex Board
- Wealden and Rother Renewal Partnership
- Woodland Enterprises Limited

Annex 2 – Travelling and Subsistence Rates

Car mileage allowances

45p per mile

Supplement for Passengers

An additional 10p per mile for each passenger carried.

Cycle allowance

20p per mile

Overnight subsistence

Bed and breakfast

- Standard rate – actual cost up to £82.00
- Special rate for London and the annual conference of the LGA – actual cost up to £133.00

Where suitable hotels are only available at higher costs, the Assistant Chief Executive has discretion to agree appropriate reimbursement.

In addition, the Council will reimburse the cost of dinner up to £25 where it is necessary for a member to have dinner away from home as a result of an approved duty that involves an overnight stay.

Member Parental Leave Policy

The objective of this policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption and that reasonable and adequate arrangements are in place to provide cover for any special responsibilities during any period of leave taken.

1. Leave Periods

1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.

1.10 Any Member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

2. Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance (SRA) shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.

3.3 The payment of SRAs, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the Member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.

3.4 Should a Member appointed to replace the Member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one SRA shall apply.

3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

5. Local Member responsibilities

5.1 Any Member intending to take maternity, paternity, shared parental or adoption leave should ensure that they make arrangements for an alternative Member point of contact to be available to local residents in their division for the purposes of casework and other local Member enquiries.

Report to: Governance Committee

Date of meeting: 1 March 2022

By: Chief Finance Officer

Title: East Sussex Pension Board – Appointment of Member

Purpose: To seek agreement to the appointment of a new member of the East Sussex Pension Fund’s Local Pension Board

RECOMMENDATIONS – The Governance Committee is recommended to appoint Neil Simpson as a member of the East Sussex Pension Board for a term of four years.

1. Background

1.1. The requirement for Public Service Pension Schemes to have a Pension Board was established by the Public Service Pensions Act 2013 for the purposes of “assisting” the Scheme Manager (East Sussex County Council). There is a requirement for the Pension Board to have an equal number of employer and member representatives. The Pension Board also has an independent Chair in addition to the members required under the relevant legislation.

1.2. Following the end of her term the Pensioner Member representative, Diana Pogson, decided she did not wish to pursue a further term on the Board. This has left the Pension Board with a vacancy.

1.3. All Pensioner Members of the East Sussex Pension Fund (the Fund) were informed of the vacancy in October 2021 and invited to provide expressions of interest. The Fund received 16 expressions of interest with 6 of those people submitting a CV and covering statement when asked to do so. From those people the Chair of the Pension Board and Pensions Manager – Governance and Compliance invited three people to meet with them to discuss the vacancy, and their interest in it, in more detail.

1.4. It is believed that all three people who were interviewed for the vacant position on the Pension Board would be suitable for the role. Each offers a different skillset and this has been considered in recommending who would add the most value to the Fund’s Pension Board at the current time.

2. Appointment of Panel Member

2.1. Candidate A had experience as the director of a private occupational pension scheme and senior posts during his career. They discussed an interest in member communications with a focus on content creation. They also demonstrated that they are broadly aware of the challenge involved with having around 130 employers participating in the Fund and the changing appetite for communication as technology develops.

2.2. Candidate B had a communication and IT background. During the process they expressed a keen interest in driving further improvements to how we communicate with members, particularly around access to information and the risk posed by fraudsters. They showed an awareness of key events in the pension industry, such as the age discrimination issue caused by the change in scheme regulations.

2.3. Candidate C had a background in payroll and pensions. They have experience of establishing governance policies and negotiating admission agreements. When discussing

their interest in the role, they demonstrated a good awareness of the role of the Pension Board, ACCESS (the investment pool the Fund is involved with) and current challenges in the pension landscape. They have an interest in working with smaller employers in the Fund who are less likely to fully appreciate the risks associated with participating in the Fund.

2.4. It is felt that all the candidates would be capable of representing both the pensioner members of the scheme and the wider membership as part of the Pension Board. Candidates B and C were found to be slightly more knowledgeable about pension matters and the challenges facing the Fund in the near future. This means that they would be able to reach the required level of knowledge and understanding needed to operate as an effective member of the Pension Board.

2.5. The Fund has recently recruited a Communication Manager to help it improve its communications with both members and employers. This will include making further changes to its website. Current challenges stem from issues with data provided by employers and instigating new policies and procedures during a period of rapid change to the relevant legislation. In light of this, officers and the Chair of the Pension Board believe appointing a person with governance experience and who has experience of the interaction between LGPS Funds and Employers would be most beneficial to the wider membership of the Fund. As all three candidates are of high quality, it is recommended that looking at the wider skillset and interests of the candidates provides a useful differential which allows for the appointment of someone who will offer most value to the Pension Board at the current time.

2.6. Further details of Candidate C's CV contains exempt information and is set out in a later item on the agenda.

3. Term of Appointment

3.1. Members of the Pension Board are normally appointed for a period of 4 years, although the Governance Committee may choose to appoint a person to the Pension Board for a different length of time.

3.2. Currently, all the members of the Pension Board have been appointed on a 4 year cycle. Three appointments are due to come to an end in April 2023, one in October 2023 and one in July 2025. The Chair of the Pension Board's term will end in April 2023.

3.3. In order to minimise the number of appointments which are expected to end at the same time, it is recommended that the Governance Committee appoint Neil Simpson for a term of 4 years.

4. Conclusion

4.1 It is recommended that Candidate C, Neil Simpson, be appointed to the Pension Board as the Pensioner Representative for a term of four years.

IAN GUTSELL
Chief Finance Officer

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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