

TRAFFORD COUNCIL

Report to: Council
Date: 9 October 2019
Report for: Noting
Report of: Monitoring Officer / Chair of Standards Committee

Report Title

Outcome of Standards Committee review of the position relating to changes to Labour Members' Allowances

Summary

A motion was proposed to Council on 17th July 2019, condemning the Labour Group for having reversed a voluntary reduction to their members' allowances which had been applied since 2013. Council voted pursuant to a motion without notice to refer the matter to the Standards Committee for review and to report back to Council. This report details the outcome of that review, which has been conducted by the Monitoring Officer and the Independent Person.

Recommendation(s)

That Council :-

- 1. Notes the contents of this report and of the report to Standards Committee of the Monitoring Officer and Independent Person;**
- 2. Notes that there was nothing improper in the actions of the Labour and Liberal Democrat Groups in indicating that the voluntary reduction in allowances should be reversed for their members;**
- 3. Notes that there was no requirement that such a decision should be subject to public scrutiny as it was essentially a decision which fell to each individual member**
- 4. Approves the proposal to add an explanatory sentence on the annual publication of Members allowances and to identify those Members who have renounced part of their allowance on the same document.**

Contact person for access to background papers and further information:

Name: Jane Le Fevre
Extension: 4215

Background Papers: -

The Review Documents:-

- Members' Allowances Scheme;
- Relevant e-mail correspondence;
- IRP report July 2018

Implications

Relationship to Policy Framework/Corporate Priorities	N/A
Financial	None
Legal Implications:	None.
Equality/Diversity Implications	None
Sustainability Implications	None
Staffing/E-Government/Asset Management Implications	None
Risk Management Implications	None
Health and Safety Implications	None

1. Background.

1.1 On 17th July 2019 a motion in the following terms was proposed and seconded to Council:-

(h) Motion Submitted by the Conservative Group - Members' Allowances Increases for Labour Councillors

This Council condemns the revelation that, on 22 August 2018, the Labour Group via the Leader of the Council wrote to the Corporate Director for Finance and Systems instructing that the voluntary reduction of 1.9% applied to Members Allowances since 2013/14 be reversed.

Council notes:

- *This letter was submitted secretly with no public accountability or scrutiny of the change*
- *That the change in allowances was subsequently backdated to April 2018*
- *That the Labour group also requested this change to be applied to significant Special Responsibility Allowances, to ensure maximum personal financial benefit for Labour members*

Council finds it abhorrent and hypocritical that this Labour administration has the audacity to talk about austerity whilst at the same time:

- *increasing their own allowances, in secret without scrutiny*
- *trebling the cost of the Corporate Leadership Team to nearly £1million per annum in the last 10 months*
- *overseeing the deterioration of services in Trafford (see Children's Services) through poor leadership and management*

The Council requires every Labour member to return their increased allowance to the taxpayers of Trafford and for members' allowances to be reset to the levels stipulated in 2015/16 to be consistent for all Members (i.e. 98.1% of present full allowance).

1.2 A Motion Without Notice proposing that the issues raised by the motion be referred to the Standards Committee for review and for the Committee to report back to Council once it had had the opportunity to review the matter was subsequently moved, seconded and agreed by Council.

1.3 The approach taken by the Monitoring Officer to the review is set out in the report to Standards Committee annexed to this report. The review was undertaken by the Monitoring Officer together with the Independent Person

(“IP”) in order to assure members of the transparency, objectivity and independence of the review. The report to the Standards Committee was a joint report from the Monitoring Officer and the IP.

2. Standards Committee Review

- 2.1** The Standards Committee Report was considered at Standards Committee on 26 September 2019 and the Recommendations set out in that report were agreed by the Committee.
- 2.2** A Point of Order was moved by the Vice Chair of the Committee referring to Rule 8.1 (of the Access to Information Procedure Rules) relating to the disclosure of Background Papers and suggesting that the report was flawed because it contained an assertion that all Group Leaders had been approached about reversing the previous voluntary reduction in allowances. The concern from the Conservative Group being that they did not agree that any such discussion had taken place. It was made clear that all existing Background Papers had been disclosed, referred to as the Review Documents in the report, including an exchange of e-mails between officers referring to the fact that such a discussion had taken place with the then Leader of the Council. It was also expressly acknowledged by the Monitoring Officer in the meeting that there was no communication either with or from the then Leader on that point. It was however noted that the point was not relevant to the issue under review which was whether there had been any impropriety on the part of the Labour Group (and therefore by implication the Liberal Democrat Group) in either the request to reverse the reduction in allowances or in the procedures followed in that regard.
- 2.3** Notwithstanding the fact that it was the view of the Monitoring officer and the IP based on the exchange of e-mails and from discussion with relevant members of staff that, on the balance of probabilities, there had been some discussion prior to the elections in May 2018 on the issue of the reversal of the reduction between the then Chief Executive and the former Leader of the council, it is acknowledged that this has never been accepted by the Conservative members. Furthermore, the issue of whether the Conservative Group were or were not aware is not relevant to the issue referred to the Standards Committee, namely the suggestion that the Labour Group had acted in secrecy, without scrutiny and by implication improperly. The recommendations to Council have therefore been amended from those which were considered by the Standards Committee to remove reference to referral to all group leaders .
- 2.4** The review carried out concluded that there had been no improper behaviour on the part of those members who had elected through their Group leaders to reverse the reduction. It was also found that there was no requirement for any process around such a reversal and Committee members noted that any member could have reversed the reduction for their personal allowances at any time and without the need for such a decision to be reported or scrutinised.
- 2.5** It was also noted by the Committee that there is a requirement for details of all individual members’ allowances to be published such that these are a matter of public record.

2.6 The report to the Committee does however reflect that the Monitoring Officer and the IP considered that the way in which such matters are handled in future could be improved and there were recommendations to that effect which were agreed by the Standards Committee.