

REPORT TO CONSTITUTION COMMITTEE

REPORT OF: Head of Legal and Democratic Services

REPORT NO: LDS114

DATE: 16th December 2013

TITLE:	CONSTITUTION AMENDMENT – MEMBERS’ REMUNERATION	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Council Decision	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter – Portfolio Holder for Governance and Communication	
CONTACT OFFICER:	Lucy Youles – Head of Legal and Democratic Services e-mail: l.youles@southkesteven.gov.uk Tel: 01476 4016105	
INITIAL IMPACT ANALYSIS: Equality and Diversity	Carried out and Referred to in paragraph (7) below Not applicable	Full impact assessment Required:
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council’s website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	The Constitution http://www.southkesteven.gov.uk/index.aspx?articleid=1974	

1. RECOMMENDATIONS

It is recommended that the Constitution Committee recommend to Council the amendments to the Constitution proposed following an internal audit of members' allowances and expenses as follows:

1.1 At page 293 paragraph 4 of the Constitution add the words - Co-habiting members shall only be entitled to make one claim per household for broadband allowance.

1.2 At page 292 – Travel Expenses add the words - Members claiming mileage for motor vehicle use should provide a copy to the Council of the appropriate motor vehicle insurance specifying business use on appointment as a Councillor and thereafter at the time of renewal of that policy.

2. PURPOSE OF THE REPORT

2.1 The purpose of the report is to recommend amendments to the Constitution in respect of the Members' Allowance Scheme following an internal audit of Members' allowances and expenses.

3. DETAILS OF REPORT

3.1 An internal audit of Members' allowances and expenses was carried out as part of the approved internal audit periodic plan for 2013/14. The objective of the audit was to ensure the Members' allowances and expenses are paid in accordance with documented policy and procedure and in line with legislation. The conclusion of the audit is that the Council can take reasonable assurance that the controls on which the authority relies to manage the risks are suitably designed, consistently applied and effective. Recommendations were made to mitigate risk and improve controls. Two recommendations made require amendment to the Constitution.

3.2 In respect of recommendation at 1.1, the audit determined that there is a risk that co-habiting councillors may be paid an allowance for the same broadband connection and that the Constitution should include guidance on the payment of the broadband allowance in those circumstances.

3.3 In respect of recommendation 1.2, the audit determined that there is a requirement, if claiming mileage, Members should have appropriate motor vehicle insurance for business purposes and that the Constitution should include a requirement in the Members' Allowance Scheme that a copy of that insurance should be provided to the Council each year. It is proposed that this will be a requirement following appointment as a Councillor.

4. OTHER OPTIONS CONSIDERED

The recommendations have been made by internal auditors. No other options have been considered.

5. RESOURCE IMPLICATIONS

There are no resource implications relating to this report.

6. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
No high risks have been identified	The recommendations are made to mitigate the risk of inadequate control on claims and to ensure Members have appropriate insurance in place.

7. ISSUES ARISING FROM IMPACT ANALYSIS

None

8. CRIME AND DISORDER IMPLICATIONS

None

9. COMMENTS OF FINANCIAL SERVICES

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

Broadband claims will only be paid on receipt of invoice for broadband provided and the risk of a duplicate claim is unlikely. Members should be made aware of the requirement for vehicle insurance for business use if claiming mileage from the Council.

11. COMMENTS OF OTHER RELEVANT SERVICES

None applicable

12. APPENDIX: None