

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO ACCOUNTS AND AUDIT COMMITTEE

Agenda Item No 12

meeting date: 30 MARCH 2011
title: PUBLICATION OF TRANSPARENCY INFORMATION
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1 PURPOSE

- 1.1 To inform members of the information that has been published on senior salaries and spend over £500, and to advise members of the expected future requirements under the transparency agenda as outlined DCLG's proposed statutory code of recommended practice.

2 BACKGROUND

- 2.1 The Government has set out to improve transparency about how it spends public money. This includes details of the size and shape of public bodies and the remuneration provided to senior public servants. This is consistent with the Information Commissioner's guidance that senior public servants should expect their remuneration arrangements to be examined.
- 2.2 Alongside the disclosure of senior civil servant salary information, councils are now expected to publish details of the salaries of all senior management staff. This was a requirement from 31 January 2011, and is a snapshot of the position as at 1 October 2010.
- 2.3 The transparency publication requirements for both spend over £500 and senior officer salaries are based on best practice and are not currently a legal requirement. However, there has been widespread publicity by DCLG of those councils that have not acted on the published best practice notes.

3 PUBLICATION OF TRANSPARENCY INFORMATION

- 3.1 The council has published details of spend over £500 on its website for the whole of the 2010/11 financial year up to February 2011. We have not received any queries with regard to the information published.
- 3.2 The senior officer salary disclosure has also been published on the council's website alongside the transparency data on spend over £500. The publication of senior salaries for this council encompasses the Chief Executive, Directors and Heads of Service, in line with the best practice notes.
- 3.3 The details shown include the Full Time Equivalent salary for each individual and also the service area description as prescribed in the Workforce Data Standards, which are published by the Local Government Association.
- 3.4 Prior to publishing the information, all staff affected by the requirements were written to explaining the requirements and were provided with a copy of the details that would be published. Staff were also informed of their right to object, where they felt that publication would cause themselves or another person substantial, unwarranted damage or distress.

3.5 Concerns were raised by some officers, with the main concerns expressed covering:

- Infringement on basic human rights, contrary to Article 8: '*right to respect for private and family life*' as the information is not in the interest of national or public security.
- Concerns about the possibility of identity fraud due to the level of personal information that is to be published.
- Those in enforcement roles could be exposed to potential abuse in the public arena, causing unwarranted distress to self and family.
- Disagreement with the way in which the best practice guidance has been interpreted and that the disclosure is not a statutory requirement.

4 FUTURE DATA TRANSPARENCY REQUIREMENTS

4.1 The Government has since issued a consultation document on its plans to make the publication of both spend over £500 and senior officer salaries a statutory requirement. Some elements of the future requirements are different from the current best practice guidance and would see a change to the information which is published for this council in future.

4.2 To an extent the statutory code encourages wider publication of information as part of the transparency agenda, stating that published information should be demand led.

4.3 As a minimum the statutory code seeks to have the following datasets released:

- Expenditure over £500, (including costs, supplier and transaction information). Any sole trader or body acting in a business capacity in receipt of payments of at least £500 of public money should expect such payments to be transparent.
- Grants and payments under contract to the voluntary community and social enterprise sector should be clearly itemised and listed.
- Senior salaries, names (with the option for individuals to refuse to consent to their name to be published) job descriptions, responsibilities, budgets and numbers of staff. "Senior salaries" is defined as being all salaries which are above £58,200 (irrespective of post), which is the Senior Civil Service minimum pay band
- An organisational chart of the staff structure of the local authority.
- Councillor allowances and expenses.
- Copies of contracts and tenders to businesses and to the voluntary sector community and social enterprise sector.
- Policies, performance, audits and key indicators on the authorities' fiscal and financial position.
- Data of democratic running of the local authority including the constitution, election results, committee minutes, decision-making processes and records of decisions.

- 4.4 As members will recognise, the majority of this information is already published on the council's website. However, as shown above, this is information that DCLG would expect to see published as a minimum and that the publication of other information items should be demand led, perhaps driven by areas of high freedom of information requests.
- 4.5 The change in definition of "Senior Salaries" in the statutory code will mean that future publications would only encompass the Chief Executive and Directors as all Heads of Service at this council would fall below the threshold given above.
- 5 CONCLUSION
- 5.1 There have been a number of concerns from senior officers with regard to the disclosure of information under the transparency agenda. The council has met the requirements of the best practice guidance in the publication of senior salary information.
- 5.2 There have since been moves to make the publication of transparency information a statutory requirement. The statutory code makes different demands than the currently published best practice guidance. This will reduce the number of senior officers affected by the disclosure.
- 5.3 Future transparency information published on the website should be demand led and may be different from council to council.

HEAD OF FINANCIAL SERVICES

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