

Report to: **Council**

Date: **14 December 2017**

Title: **Standards Process – Appointment of Independent Persons**

Portfolio Area: **Support Services**

Wards Affected: **All**

Relevant Scrutiny Committee: **Overview and Scrutiny Panel**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Immediately following this meeting.

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RECOMMENDATION

That Council RESOLVES that, with immediate effect, Mr Peter Boreham and Mr Trevor Kirkin be appointed as two of the Council's Independent Persons for the initial period to the date of the Annual Council meeting in May 2019.

1. Executive summary

1.1 This report seeks to confirm the appointment of two Independent Persons in order to assist the Council in promoting and maintaining high standards of conduct amongst its elected Members and town and parish councillors.

2. Background

2.1 The Localism Act 2011 made fundamental changes to the system of regulation of standards of conduct for elected and co-opted Members;

2.2 One of the most significant changes to the system related to the need to appoint Independent Persons. These Independent Persons are consulted on the decision of whether or not any complaints

alleging breaches of the Members' Code of Conduct should be investigated and may also be consulted on other related matters, including by a Member who is subject to an allegation.

- 2.3 As a consequence of these changes, it was agreed at a special meeting of the Council held on 28 June 2012 that (Minute 23/12 refers):-

'The Monitoring Officer takes steps to advertise for and appoint three Independent Persons.'

- 2.4 Following the resignations of two of the three initially appointed Independent Persons (Ms Sandra Bell and Mr Mike Fowkes), the Council was only left with one remaining Independent Person (Mr George Barnicott) and it was therefore deemed necessary to undertake a recruitment process to fill the two vacancies.

3. Recruitment Process

- 3.1 In order to maximise the recruitment opportunities for interested parties, adverts were placed in the local press as well as on the Council's website. A recruitment pack was created which, amongst other things, set out the requirements to be an Independent Person and clear instructions for making an application.
- 3.2 Twelve applications were subsequently received and the Council shortlisted and then interviewed six applicants.
- 3.3 The interviews took place on Friday, 3 November 2017, with the Panel consisting of the Deputy Monitoring Officer and the Senior Specialist –Democratic Services.
- 3.4 As a result of the interview process, Mr Peter Boreham and Mr Trevor Kirkin were assessed by the Panel as the two most suitable applicants for appointment. The Interview Panel has also requested that the incredibly high quality of all candidates is acknowledged.

4. Options available and consideration of risk

- 4.1 By recruiting two more Independent Persons, the Council is building sufficient resilience into its formal standards complaints investigation process.
- 4.2 It is intended that appropriate training provision will be arranged for the successful candidates to ensure that they are able to make as smooth a transition into the role as is practically possible.

5. Proposed Way Forward

- 5.1 The Council is asked to confirm the appointments of Messrs Boreham and Kirkin to the role of Independent Persons for the initial period to the Annual Council meeting in May 2019.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Statutory Powers – Local Government Act 2000 and Localism Act 2011
Financial	N	Each Independent Person is entitled to claim a Special Responsibility Allowance of £500 per annum
Risk	N	These are addressed in the body of the report
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	Not applicable
Safeguarding	N	Not applicable
Community Safety, Crime and Disorder	N	Not applicable
Health, Safety and Wellbeing	N	Not applicable

Supporting Information

Appendices:

None