

Title of meeting: Governance and Audit and Standards Committee

Date of meeting: 9 March 2018

Subject: Appointment of Independent Persons

Report by: City Solicitor

Wards affected: N/A

Key decision: No

Full Council decision: Yes

1. Purpose of report

To outline the requirements for and consider the appointment of up to four Independent Persons, pursuant to the provisions of Section 28 of the Localism Act 2011.

2. Recommendations

That Governance & Audit & Standards Committee recommend that Council appoints the following Independent Persons for three years through to May 2021:

- 2.1. Mr Bill Bailey
- 2.2. Ms Carole Damper
- 2.3. Ms Diana Turner

3. Background

- 3.1. Following consideration by Governance and Audit and Standards Committee and Council in March 2013, the Council agreed to the appointment of up to 4 Independent Persons for a period of 3 years. Following advertisement and interview, two Independent Persons were appointed. The appointments of the two Independent Persons were renewed on recommendation to Council in July 2016 for a further term.
- 3.2. In February 2018 an advertisement was made for applications to be submitted for the role of Independent Person and following interviews the above appointments are recommended by the Member Panel.

4. Reasons for recommendations

Independent Persons are required under the Arrangements for Assessment, Investigation and Determination of Complaints made against Councillors. It is

hoped that the appointment of up to four Independent Persons will assist with the complaints process.

5. Role of the Independent Person

- 5.1. The Council is required to appoint at least one Independent Person. These are persons who must have no connection with the Council.
- 5.2. They do not have decision making powers and their role is purely to advise.
- 5.3. Their functions are:-
 - 5.3.1. To be consulted by the Council before it makes a finding as to whether a member has failed to comply with the Code of Conduct or decides what action is to be taken in respect of that Member;
 - 5.3.2. To be consulted by the Council in respect of a Code of Conduct complaint at any other stage if required; and
 - 5.3.3. To be consulted by a Member or co-opted Member of the Authority against whom a complaint has been made if required.

6. Procedure for appointment

The following procedure was followed for the appointment of the independent Persons:

- 6.1. The role was advertised on the Council's website.
- 6.2. An interview panel was drawn up from a cross party group of three councillors drawn from the Governance and Audit and Standards Committee to consider short-listed applicants.
- 6.3. The successful candidates to be recommended by Governance and Audit and Standards Committee to Council for formal appointment.

7. Remuneration

At present, expenses may be claimed by the Independent Persons and it is proposed that this provision continues.

8. Equality impact assessment

This report does not require an Equality Impact Assessment as it does not propose any new or changed services, policies or strategies.

9. Legal implications

The legal implications are embodied within this report.

10. Director of Finance's comments

There are no financial implications arising from the recommendations set out in this report.

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Signed by:

Appendices: Nil

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location