

<b>Title of meeting:</b>	Governance and Audit and Standards Committee
<b>Date of meeting:</b>	3 March 2020
<b>Subject:</b>	Appointment of Independent Persons
<b>Report by:</b>	City Solicitor
<b>Wards affected:</b>	N/A
<b>Key decision:</b>	No
<b>Full Council decision:</b>	Yes

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## 1. Purpose of report

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

## 2. Recommendations

**That Governance and Audit and Standards Committee recommend that Council appoint Mark Walsh and John Young as Independent Persons for three years from 1 May 2020 through to 1 May 2023:**

## 3. Background

- 3.1. Following consideration by Governance and Audit and Standards Committee and Council in March 2018, the Council agreed to the appointment of 3 Independent Persons for a period of 3 years. Two of these appointments were renewed appointments for a further term for Independent Persons who had held their position since 2013.
- 3.2. Since this appointment, one Independent Person has retired from their position, leaving 2 Independent Persons, with their current term running until 1 May 2021.
- 3.3. In autumn 2019 an advertisement was placed for applications to be submitted for the role of Independent Person and following interviews on 6 February 2020 the above appointments are recommended by the Member Panel.

## 4. Reasons for recommendations

- 4.1. Independent Persons are required under the Arrangements for Assessment, Investigation and Determination of Complaints made against Councillors. It is considered that the appointment of a further two 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 procedure outlined below 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 comprising the Chair and Vice-Chair of Governance and Audit and Standards Committee together with the Monitoring Officer met to consider shortlisted applicants;

6.3. The successful candidates to be recommended by Governance and Audit and Standards Committee to Council for formal appointment.

## **7. Remuneration**

Expenses may be claimed by the Independent Person and it is proposed that this provision continues.

## **8. Integrated impact assessment**

This report does not require and Integrated 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