

Committee: Standards and General Purposes Committee

Date: 25 July 2019

Wards: All

Subject: Appointment of Independent Person

Lead officer: Paul Evans, Assistant Director Corporate Governance

Lead member: Councillor Peter McCabe, Chair, Standards and General Purposes Committee

Contact officer: Amy Dumitrescu, Democratic Services Officer, 0208 545 3357

Recommendations:

1. That the Standards and General Purposes Committee agrees that an interview panel comprising one councillor from each political group should be appointed to interview and to recommend to Council the appointment of one Independent Person to serve for a period of three years.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Localism Act 2011 requires the Council to appoint at least one Independent Person. The now defunct Standards Committee previously put arrangements in place for the recruitment of two Independent Persons.
- 1.2. The term of office of one of the Independent Persons, Pam Donovan, ends on 24 November 2019.
- 1.3. This report therefore seeks approval to commence the recruitment of a new Independent Person and to appoint an interview panel, comprising one councillor from each political group to interview all candidates and recommend to Council the appointment of the successful applicant.

2 DETAILS

- 2.1. The Localism Act 2011 requires the Council to appoint at least one Independent Person. The functions of the Independent Person, set out in the Council's constitution, are:
 - The Independent Person must be consulted and views taken into account before the authority takes a decision on any allegation it has decided to investigate
 - The Independent Person may be consulted by the authority in circumstances where the authority is not taking a decision whether to investigate the allegation
 - The Independent Person may be consulted by a member of the authority against whom an allegation has been made
- 2.2. The Council currently has two Independent Persons. Pam Donovan was appointed in November 2016 and Clive Douglas was appointed in February 2019. Pam Donovan's term of office expires on 24 November 2019.
- 2.3. Independent Persons are appointed for a term of three years and are able to sit for a maximum of two terms. It is noted that the recommendation from

Government is that “the Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once”, however this has not yet been enacted.

3 ALTERNATIVE OPTIONS

3.1. The Council must appoint at least one Independent Person

3.2. The composition of the interview panel is discretionary

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None

5 TIMETABLE

5.1. Officers will commence the recruitment of a new Independent Person as soon as possible, subject to the agreement of this Committee.

5.2. It is anticipated that an advert will be placed on the Council’s website and distributed through other organisations during early September with a closing date of mid-October and interviews towards the end of October. The outcome will be reported to Council at its meeting on 20 November 2019.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. Independent Persons are invited to attend meetings of Standards and General Purposes Committee and are paid £100 per meeting. They are also paid £100 per each consultation meeting with the Council’s Monitoring Officer.

6.2. The recommendations in this report will not lead to any increase in the overall budget for allowances.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. See body of report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None specific to this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None specific to this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None specific to this report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- None

12 BACKGROUND PAPERS

12.1. None