

AVDC STANDARDS REGIME: APPOINTMENT OF INDEPENDENT PERSONS
Councillor Mordue
Chairman of the Standards Committee

1 Purpose

- 1.1 To seek approval to extend the terms of office of the existing Independent Persons who assist with the work of the Council's Standards Committee.

2 Recommendation

- 2.1 That the terms of office of the existing Independent Persons, namely, Caryl Billingham and Dr. Sadie Reynolds be extended until September 2020.

(This will enable new Members appointed to the Standards Committee after the District and Parish Council elections in May, 2019, to have the benefit of the experience and expertise of the Independent Persons for at least twelve months pending a new recruitment exercise).

3 Supporting information

- 3.1 Section 28 of the Localism Act requires the Council to have arrangements in place for dealing with allegations that District/Parish Councillors had breached their respective Codes of Conduct. These arrangements have to include the appointment of at least one Independent Person.
- 3.2 Although no longer a statutory requirement, this Council decided that a Standards Committee should be appointed to emphasise the Authority's firm commitment to the promotion of high ethical standards in public life and to deal with complaints according to an open and transparent complaints procedure. In addition to their role specified in the Localism Act (see paragraph 3.4 below), the Independent Persons attend meetings of the Standards Committee in a non voting capacity, representing a non partisan view on complaints.
- 3.3 The Independent Persons participate in all of the training arrangements made for Members of the Standards Committee.
- 3.4 The Localism Act provides that the Independent Person(s) have to be consulted by the Authority following formal investigations before it can make a finding as to whether or not a Councillor has failed to comply with the Code of Conduct, or failure to comply with any of the standards provisions contained within the Localism Act.
- 3.5 The Independent Persons may be consulted by the Authority in respect of standards complaints and may also be consulted by individual Councillors who are the subject of complaints.
- 3.6 When the current Independent Persons were appointed, only three applications were received, following an extensive advertising process and subsequent interviews. The interviews were undertaken by the Senior Officers Appointments Committee.
- 3.7 All three candidates were appointed, having met the specified criteria. During the course of this year, one of the Independent Persons resigned as he relocated to another part of the country. (Interestingly that individual has been appointed as an Independent Person for the authority in whose area he now lives). The Monitoring Officer and the Chairman of the Standards Committee were consulted and both were satisfied that having just two

Independent Persons would not have a detrimental affect on the work of the Standards Committee. This has proved to be the case.

- 3.8 The terms of Office of the existing Independent Persons will expire in May,2017, but it was felt that rather than wait until then, it would be better in the interests of efficiency and continuity for options for the future to be examined well in advance.
- 3.9 Starting a new recruitment process could be costly in terms of Officer/Member time and there is no guarantee that individuals with the necessary attributes will apply. Re-advertisement could extend the recruitment process and hence increase the costs further.
- 3.10 Both Caryl and Sadie are familiar with the local standards regime and have built up a great deal of knowledge in relation to the Code of Conduct. They have indicated that they would be happy to continue in the role of Independent Persons and the Monitoring Officer recommends this approach.
- 3.11 The appointments have to be approved formally by full Council.

4. Reasons for recommendations

- 4.1 The Council is required by statute to have Independent Persons in place as part of its standards regime. The extension of the terms of office of the existing individuals would mean retention of the wealth of knowledge and experience built up over the past few years, as well as ensuring continuity/consistency of approach.

5. Alternative Options/Resource Implications

- 5.1 To commence a wholesale recruitment process which could be costly and which has no guarantee of success. The approach suggested above would have no immediate resource requirements.

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Background Documents: None