

SUBJECT:	Re-Appointment of Independent Person
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Joanna Swift
REPORT AUTHOR	Joanna Swift
WARD/S AFFECTED	None

1. Purpose of Report

This report asks Council to agree a recommendation from Audit Committee on 5 July to extend the term of office of one of the Council's two Independent Persons. This must be approved by a majority of members of the Council.

RECOMMENDATION

That Full Council agree to extend the term of office of Mr Trevor Dobson as an Independent Person for a further 2 years

2. Reasons for Recommendations

The appointment of two Independent Persons is an agreed part of the Council's standards framework for dealing with complaints and provides resilience in case of illness or other absence. There is also a new mandatory requirement introduced by the Employment Procedure Amendment Regulations 2015 to invite at least two Independent Persons to join a panel set up to consider the dismissal of statutory officers.

Mr Dobson was appointed for a term of 5 years in July 2012 and has received training on the role. The process for recruiting new independent persons requires the Council to advertise this role in the local press which is costly and as the Committee is aware recent experience is that interest from the public is very low. Extending the Mr Dobson's term of office for a further 2 years will therefore ensure that the Council continues to have an experienced independent person in place.

3. Content of Report

- 3.1 Under the Localism Act 2011 an Independent Person must be appointed through a process of public advertisement, submission of an application and approval by a positive vote of a majority of all members of the Council – i.e. by full Council. To be considered 'independent' an applicant must not be, or have been within the previous 5 years, an elected or co-opted member or an officer of the District Council or any Parish or Town Council in the area, or of any committee or sub-committee of the District Council or any Parish/Town Council, or, be a relative or close friend of a current elected or co-opted member or an officer of the District Council or any Parish/town Council in the area

- 3.2 The Council undertook this process in 2012 and appointed Mr Dobson and Mrs Nandhra (who resigned in 2015) as Independent Persons for a term of 5 years from 25 July 2012. The Council has recently appointed Mr Hopkins as the second IP after undertaking two rounds of recruitment. The Independent Persons are entitled to receive an allowance of £200, together with re-imbursement of any travelling expenses incurred whilst exercising their role. Both Mr Dobson and Mr Hopkins have attended specialist training.
- 3.3 Since Mr Dobson's appointment in 2012 the government has introduced a new mandatory requirement for Independent Persons to be involved in the dismissal procedure for statutory officers. The Council's Employment Procedure Rules have been updated to reflect this requirement and Audit Committee have agreed a revised role description which would apply to an extension of Mr Dobson's appointment.

4. Consultation

Not applicable.

5. Options

The Audit Committee considered and rejected the option of advertising the upcoming vacancy and selecting an applicant to fill the role or extending the term of office of the existing appointee. It was agreed that in terms of ensuring that appointees retain a degree of independence, the extension be for no longer than 2 years.

6. Corporate Implications

Financial – As set out in the report

Legal – As set out in the report

Risks issues – The Council would be in breach of its statutory duty if it had no Independent Person available to advise on members complaints and having 2 Independent Persons provides resilience in case of absence or conflicts of interest. It is also now a requirement under the Employment Procedure Amendment Regulations 2015 for the Council to invite at least two Independent Persons to take part in the panel considering the dismissal of statutory officers.

Equalities - The Council's policies on equalities would be followed in any recruitment process for new a Independent Person.

7. Links to Council Policy Objectives

Whilst there are no direct links to the Council's main policy objectives, it has a duty under the Localism Act to have arrangements in place to deal with allegations that members may have breached the code of conduct. The effective use of Independent Persons as part of this process is a matter of good governance and is important in preserving the confidence of local communities.

Background Papers:	None except those referred to in the report.
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