

Summary Sheet

Standards and Ethics Committee Report

Standards and Ethics Committee Meeting 21st March 2019

Title: The Re-appointment of Standards and Ethics Committee Independent Persons

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

N/A

Report Author(s)

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Ward(s) Affected

All

Executive Summary

This report reviews the arrangements for the Council's Independent Persons and makes recommendations to re-appoint the current Independent Persons.

Recommendations

That the Committee:

- i) Recommend that Council confirms the appointment of the current Independent Members of the Committee until the end of the 2019/20 Municipal Year.
- ii) Notes the ongoing recruitment exercise in respect of the Independent Person roles, and agrees to receive a further report at the conclusion of the recruitment process.

List of Appendices

N/A

Background Papers

Previous reports to Standards and Ethics Committee and full Council Minutes

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Title : The Re-appointment of Standards and Ethics Committee Independent Persons

1. Recommendations

That the Committee:

- i) Recommend that Council confirms the appointment of the current Independent Members of the Committee until the end of the 2019/20 Municipal Year.
- ii) Notes the ongoing recruitment exercise in respect of the Independent Person roles, and agrees to receive a further report at the conclusion of the recruitment process.

2. Background

- 2.1 The Localism Act requires the Council to appoint at least one Independent Person who has duties in relation to the handling of complaints. In particular the Localism Act requires the independent person's views to be sought, and taken into account, by the Council before it makes its decision on an allegation it has decided to investigate. Council has previously appointed two Independent Persons, who are not members of the Committee, and their terms of office were renewed at the Council meeting in May 2018 until the end of the 2018/19 Municipal Year.
- 2.2 A recruitment exercise in respect of the two Independent Person posts has been commenced, but this may not be concluded before the end of the 2018/19 Municipal Year. Therefore it is recommended that the terms of office for the current Independent Persons be extended to the end of the 2019/20 Municipal Year. This extension would be on the basis that following the conclusion of the recruitment exercise a further report will be brought to the Standards and Ethics Committee and if necessary subsequently Council.
- 2.3 The recruitment exercise has not been undertaken previously as it was considered appropriate to wait for and take into account the recommendations from the Committee on Standards in Public Life review into Local Government Ethical Standards, which is discussed in another report to this meeting. In relation to Independent Persons, the Recommendations state as follows: Recommendation 8 – The Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once.

3. Key Issues

- 3.1 It is necessary for the Committee to make recommendations to Council on the appointment of Independent Persons.

4. Options considered and recommended proposal

4.1 Recommendations are set out above.

5. Consultation

5.1 N/A

6. Timetable and Accountability for Implementing this Decision

6.1 Any appointments made by Council will take effect immediately.

7. Financial and Procurement Implications

7.1 None

8. Legal Implications

8.1 The appointment of at least one Independent Person by the Council is a statutory requirement. If the terms of office of the two Independent Persons previously appointed are extended, this will allow the Council to comply with its statutory duties, pending the conclusion of the ongoing recruitment exercise.

9. Human Resources Implications

9.1 None

10. Implications for Children and Young People and Vulnerable Adults

10.1 None

11. Equalities and Human Rights Implications

11.1 None

12. Implications for Partners and Other Directorates

12.1 None

13. Risks and Mitigation

13.1 None

14. Accountable Officer(s)

Dermot Pearson, Assistant Director, Legal Services