

Item No. 3.3	Classification: Open	Date: February 20 2008	Meeting Name: Council Assembly
Report title:		Appointment of Independent Members to Standards Committee	
Ward(s) or groups affected:		All	
From:		Strategic Director of Legal and Democratic Services	

RECOMMENDATIONS

1. That council assembly approves the appointment of independent voting members to the standards committee for a three year term of office, subject to recommendation 2. The names of individuals recommended are set out in the closed report.
2. That the appointments be subject to the receipt by the strategic director of legal and democratic services of satisfactory references and the completion of criminal records bureau checks.
3. That the commencement date of each term of office be confirmed by the strategic director of legal and democratic services.

BACKGROUND INFORMATION

4. Independent members, who are voting members must make up at least 25% of the standards committee's total membership. The chair of the standards committee is elected from among the independent members at the first meeting of the committee in each municipal year. This year's selection process is been undertaken as part of the preparations for the new arrangements for dealing with complaints against councillors, due to commence on April 1 2008.
5. The standards committee at its meeting on the November 6 2007 agreed to establish an independent person selection panel which undertook the shortlisting and interview process for new independent members. The panel comprised of the two independent members Jean Sackur and Mark Roelofson and members of each political group, Councillors David Hubber, Lewis Robinson and Robert Smeath.
6. The selection process included placing advertisements in the South London Press, and Southwark News. Officers also circulated details via the community council distribution lists, supplemented by direct mailing to local organisations/churches/businesses. Full details appeared on the council's website. Officers also placed an advertisement on the SE1 website.
7. The current terms of office for the serving independent members are as follows:-
 - Jean Sackur – May 2005 to May 2008
 - Bola Ogun – May 2006 to May 2009
 - Mark Roelofson – May 2006 to May 2009

8. The independent person selection panel met on January 22 and February 4 2008 to short list and interview candidates. The recommended candidates will be set out in a closed report to be circulated next week, allowing time for candidates to accept their nominations and complete other formalities.

KEY ISSUES FOR CONSIDERATION

Timing of this report

9. The appointment of independent voting members is required at this meeting so that there are additional independent members in place for April 1 2008, when the new arrangements for dealing with complaints of misconduct against members is scheduled to commence. Following this council assembly, references will be sought and criminal records bureau checks undertaken. New independent members will also be required to complete a declaration of interests form. In common with other standards committee members, new independent members will participate in training and development currently being devised on the code of conduct and new complaints arrangements.

Number of independent members who can be appointed

10. The number of candidates who can be appointed by council assembly this evening (and the commencement dates for each term of office) is dependent on council assembly's earlier decision on item 3.2 on this agenda. This recommends constitutional changes to increase the size of the standards committee, including increasing the number of both councillors and independent members. This will ensure there are sufficient members to serve on sub-committees held to consider complaints against councillors. If the proposals are agreed this would increase the total number of places for independent members to six (currently there are four places). This would allow council assembly to appoint up to three new independent members immediately and a fourth whose term of office would commence from constitutional council in May 2008, when Jean Sackur's term of office expires. The clerk will advise council assembly following consideration of item 3.2.
11. Council assembly will be asked to appoint the individuals recommended by the independent person selection panel to be set out in the closed agenda.

Community Impact Statement

12. The position of independent member is required by statute and the individuals appointed play an important part in the work of the committee monitoring the probity and conduct of elected councillors. The selection process sought to maximise the number of applications from individuals from all parts of the community, so as to provide a good choice of quality candidates that reflects all Southwark's diverse communities.
13. Following appointment all new independent members will be invited to participate fully in the member development programme

Legal Implications

14. Section 53(4) of the Local Government Act 2000 provides that a standards committee of a London borough council must include at least two members of the

authority and at least one person who is not a member or an officer of the authority or any other relevant authority. The Relevant Authorities (Standards Committee) Regulations 2001 specify that an authority must ensure that, where its standards committee has more than three members, at least 25% are independent members.

15. The regulations specify that a person may not be appointed as an independent member of a standards committee unless the appointment is:
 - approved by a majority of the members of the authority;
 - advertised in one or more newspapers circulating in the area of the authority;
 - of a person who has submitted an application to the authority;
 - of a person who has not within the period of five years immediately preceding the date of the appointment been a member of the authority; and
 - of a person who is not a relative or close friend of a member or officer of the authority

16. In addition to the above, section 80(1)(d) of the Local Government Act 1972, disqualifies a person from being elected or being a member of the local authority if he has within five years before the date of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has been passed on him a sentence of imprisonment whether suspended or not for a period of not less than three months without the option of a fine.

Resource Implications

17. Expenditure relating to recruitment can be contained within current budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Standards Committee – previous reports and agenda - November 6 2007.	Constitutional Team, Southwark Town Hall, Peckham Road SE5 8UB	Ian Millichap 020 7525 7225

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Legal and Democratic Services	
Report Author	Ian Millichap, Constitutional Team Manager Paula Thornton, Constitutional Officer	
Version	Final	
Dated	February 8 2008	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Legal and Democratic Services	Yes	Yes
Finance Director	No	No
Executive Member	No	No
Date final report sent to Constitutional Team		February 8 2008