

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> May 20 2009	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Appointment of Independent Members to Standards Committee	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Legal and Democratic Services	

## RECOMMENDATIONS

1. That council assembly approves the appointment of independent voting members to the standards committee, subject to recommendation 2. The names of individuals recommended will be circulated in a 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.
5. The standards committee at its meeting on March 4 2009 agreed to establish an independent person selection panel which undertook the shortlisting and interview process for new independent members. The selection process included placing advertisements in the Southwark News. Full details appeared on the council's website. Officers also placed an advertisement on the SE1 website.
6. The independent person selection panel met on April 27 2009 to short list candidates. The interviews are scheduled to take place after the agenda dispatch date for annual council assembly. The recommended candidates will be set out in a closed report to be circulated prior to council assembly, allowing time for candidates to accept their nominations and complete other formalities.
7. The constitutional steering panel at its meeting on April 20 2009 recommended to council assembly that the term of office of each independent member be increased to four years rather than three. This recommendation is set out in the report elsewhere on the agenda entitled the schedule of other constitutional changes.

## **KEY ISSUES FOR CONSIDERATION**

### **Timing of this report**

8. The appointment of independent voting members is required at this meeting so that there are additional independent members in place for the standards committee's first meeting in July. 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.

### **Community impact statement**

9. 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 position is advertised publicly and applications are encouraged from all sections of the community.
10. Following appointment all new independent members will be invited to participate fully in the member development programme

### **Legal implications**

11. 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.
12. 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
  - of a person who is not a relative or close friend of a member or officer of the authority.
13. 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**

14. Expenditure relating to the selection process can be contained within current budgets.

#### BACKGROUND DOCUMENTS

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

#### AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Legal and Democratic Services	
<b>Report Author</b>	Ian Millichap, Constitutional Team Manager Lesley John, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	May 6 2009	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Strategic Director of Legal and Democratic Services	Yes	Yes
Finance Director	No	No
<b>Executive Member</b>	No	No
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