

Item No. 7.4	Classification: Open	Date: 8 July 2015	Meeting Name: Council Assembly
Report title:		Appointment of Independent Person	
Ward(s) or groups affected:		All	
From:		Director of Legal Services	

RECOMMENDATIONS

1. That council assembly approves the appointment of the individual as independent person, as outlined in the closed report, subject to recommendation 2.
2. That the commencement date of each term of office be confirmed by the director of legal services.
3. That council assembly approves the re-appointment of the current independent person, named in the closed report, for a further period.

BACKGROUND INFORMATION

4. Section 28 of the Localism Act 2011 requires provision for the appointment of at least one independent person whose views must be sought and taken into account before the authority makes a decision on an allegation or complaint relating to a member.
5. The independent persons will advise the council prior to any decision to investigate an allegation or complaint relating to whether a member has failed to comply with the code of conduct. The independent persons may be consulted by the council's monitoring officer in respect of an allegation against a member in other circumstances. They may also be consulted by a member or co-opted member of the council against whom an allegation or complaint has been made. Additionally, the views of the independent persons will be considered by the council's standards committee or sub-committees, who are responsible for determining the outcome of any complaints and remedial action. The independent person will therefore be required to attend meetings of the standards committee.
6. These persons cannot be a current or past member or co-opted member of the authority, so could not be a member of either the old or the new standards committee.
7. The Localism Act 2011 requires that the process to appoint independent persons must be open and transparent and any appointment must be approved by a majority of members of the authority, which in effect requires approval by council assembly.

KEY ISSUES FOR CONSIDERATION

8. The standards committee agreed, at the meeting held on 5 November 2014, that three members of the standards committee, representing each political group on the committee, be included on future selection panels in respect of appointments of independent persons.
9. The standards committee nominated Councillors Chris Gonde, David Hubber and Cleo Soanes to form the selection panel and authorised the monitoring officer to undertake the agreed selection process of the independent person.
10. The selection panel met on 17 March 2015 to interview candidates and make a recommendation to council assembly for appointments.
11. Council assembly is asked to appoint the named individual as set out in the recommendations. A summary biography for the individual is set out in Appendix 1 of the closed report.
12. As with independent members in the past, references have been sought. The references are satisfactory and appointment confirmed by the selection panel. The successful outcome has been reported back to the director of legal services who is satisfied with the outcome.
13. The period of appointment is for three years, which can be extended for a further period by council assembly.

Current independent person

14. The current independent person was appointed in July 2012 by council assembly. His appointment was due to end of 11 July 2015. He has agreed to undertake the role for a further period of three years.
15. The current independent person was appointed by a similar process with an joint Southwark and Lambeth independent selection panel meeting on 27 June 2012
16. The monitoring officer is therefore asking council assembly to re-appoint him.

Community impact statement

17. The position of independent persons is required by statute and the individuals appointed play an important part in the work of the council monitoring the probity and conduct of elected councillors.

Resource implications

18. Expenditure relating to recruitment and the annual fixed allowance of £1,061 per independent person can be contained within current budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Standards Committee – previous reports and agenda – 5 November 2014	Constitutional Team, 160 Tooley Street, London SE1 2QH	Ian Millichap 020 7525 7225

APPENDICES

No.	Title
Appendix 1	Biography (see closed agenda)

AUDIT TRAIL

Lead Officer	Doreen Forrester-Brown, Director of Legal Services	
Report Author	Norman Coombe, Head of Corporate Legal Team	
Version	Final	
Dated	25 June 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Legal Services	Yes	Incorporated in report
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	25 June 2015	