

<b>Item No.</b> 7.3	<b>Classification:</b> Open	<b>Date:</b> 28 November 2018	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Appointment of Independent Person	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Director of Law and Democracy	

## RECOMMENDATIONS

1. That council assembly approves the appointment of the two individuals as independent persons, 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 law and democracy.
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 role of 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.
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 audit, governance and standards committee, at the meeting held on 18 July 2018, nominated three members of the audit, governance and standards committee to undertake the selection process of the independent person.
10. The selection panel met on 15 October 2018 to interview candidates and make a recommendation to council assembly for appointments.
11. Council assembly is asked to appoint the two named individual as set out in the recommendations. A summary biography for these individuals 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 monitoring officer who is satisfied with the outcome.
13. The period of appointment is for four years, which can be extended for a further period by council assembly.

#### **Current independent person**

14. Of the two current independent persons, one, who was appointed in July 2012, decided to stand down after six years in the role.
15. The current remaining independent person was appointed in July 2015 by council assembly. He has agreed to undertake the role for a further period of four years.
16. The current independent person was appointed by a similar process with a selection panel meeting on 17 March 2015
17. The monitoring officer is therefore asking council assembly to re-appoint him.

#### **Community impact statement**

18. 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.
19. The monitoring officer considers these appointments will result in more diversity among independent persons as the appointees better reflect the diversity of the wider community of Southwark..

#### **Resource implications**

20. 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	Constitutional Team, 160 Tooley Street, London SE1 2QH	Chidilim Agada 020 7525 7225

## APPENDICES

No.	Title
Appendix 1	Biography (see closed agenda)

## AUDIT TRAIL

<b>Lead Officer</b>	Doreen Forrester-Brown, Director of Law and Democracy	
<b>Report Author</b>	Norman Coombe, Head of Corporate Team	
<b>Version</b>	Final	
<b>Dated</b>	2 November 2018	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
	<b>Officer Title</b>	<b>Comments Sought</b>
	Director of Law and Democracy	Yes
	Strategic Director of Finance and Corporate Services	No
	<b>Cabinet Member</b>	No
	<b>Date final report sent to Constitutional Team</b>	2 November 2018