

REPORT TO	ON
Council	24 May 2017

Jan 2017



TITLE	AUTHOR	<i>Agenda item No.</i>
Appointment of Independent Person	David Whelan	14

1. PURPOSE OF THE REPORT

Following a decision of Standards Committee the council have undergone a recruitment exercise for the appointment of a second Independent Person for the purposes of dealing with standards complaints.

Any appointment of an Independent Person needs to be approved by the council – hence the reason for this report.

2. RECOMMENDATIONS

That Council approves the appointment of Mr David Haley as an Independent Person

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Clean, green and safe		Strong and healthy communities	
Strong South Ribble in the heart of prosperous Lancashire		Efficient, effective and exceptional council	x

4. BACKGROUND TO THE REPORT

4.1 The Localism Act 2011 provides that each Local Authority must appoint at least one Independent Person whose:

- views must be sought and taken into account, by the authority before it makes a finding that any Member has failed to comply with the Code of Conduct or imposes any sanction
- views may be sought on whether to investigate a complaint and how to deal with a particular allegation

4.2 In addition any Member against whom an allegation has been made (including a Town or Parish Councillor) may consult the Independent Person regarding the allegation.

4.3 The Council currently has one Independent Person – Mr Barry Parsonage. He was appointed in May 2012.

5. DETAILS AND REASONING

5.1 At its meeting on the 23rd of February 2017 the Council's Standards Committee considered a report about appointing a second Independent Person.

5.2 Standards Committee decided that for a number of reasons it was desirable to appoint a second Independent Person. This is something that would give us greater flexibility in dealing with

complaints. Also if one Independent Person had been heavily involved in assessing a complaint at an early stage then we would be able to involve the second Independent Person at a later stage if the matter came to a full hearing before Standards committee. This would ensure that completely fresh eyes were looking at the complaint.

5.3 Under the legislation any vacancy for an Independent Person must be advertised and applications sought.

5.4 Accordingly we publicised the role as follows:

- Advert in the Lancashire Evening Post
- Publicised on the Council's website, facebook and twitter
- Circulated to existing Independent persons serving at neighbouring councils
- Circulated to all partners on the South Ribble partnership

5.5 Interviews were carried out on the 2nd of May. The interview panel consisted of Cllr Hesketh (Chair of Standards committee), Cllr Evans (member of Standards committee), Mr Barry Parsonage (our current Independent Person) and David Whelan the Council's Interim Monitoring Officer.

5.6 The panel decided to offer the post to Mr David Haley – this was subject to confirmation by full Council.

5.7 Mr Haley's background is that he worked as a solicitor for Preston City Council throughout his career – he retired from this role in 2015. He was admitted to the roll of Solicitors in 1979. For a number of years he was a member of the Law Society's Planning Panel. He is a member of the Institute of Licensing. Due to his work experiences Mr Haley has a very thorough knowledge and understanding of how local government functions.

5.8 The intention is that the appointment will last for a period of four years.

6. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

6.1 Comments of the Statutory Finance Officer

No salary is paid for the role of Independent Person in this council. The only financial implications therefore arising from this report relate to the payment of expenses (i.e. travel/mileage costs).

6.2 Comments of the Monitoring Officer

The appointment of a second Independent Person is highly desirable. It gives us greater flexibility and will help to ensure that our standards regime is as robust as possible.

Other implications: <ul style="list-style-type: none">• Risk• Equality• HR	<p>Risk – There are risks with having a single Independent Person. This includes their absence due to ill health or other commitments and the possibility of a conflict of interests. The appointment of a further Independent Person would mitigate these risks.</p> <p>Equality – there are no adverse impacts on equality issues arising from this report</p> <p>HR – HR advised on the recruitment process throughout.</p>
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8. BACKGROUND DOCUMENTS (or there are no background papers to this report)

None