

REPORT TO	DATE OF MEETING
STANDARDS COMMITTEE	23 February 2017

Report template revised June 2008



SUBJECT	PORTFOLIO	AUTHOR	ITEM
APPOINTMENT OF SECOND INDEPENDENT PERSON	Not applicable	Caroline Elwood	7

SUMMARY AND LINK TO CORPORATE PRIORITIES

At their last meeting on the 8 December 2017 Members requested that the Council investigate the possibility of appointing a second Independent Person under the provisions of the Localism Act 2011. This report sets out the process and seeks Members' views.

The report reflects the Corporate Priority of an "Efficient, Effective and Exceptional Council".

RECOMMENDATIONS

That Members note the process to be followed to recruit an additional Independent Person and determine whether they wish to make an additional appointment.

DETAILS AND REASONING

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

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.

The Act provides that an individual cannot be appointed as an Independent Person if he or she is currently a member, co-opted member, parish councillor or an officer of South Ribble Borough Council or has been within the last 5 years, or is a relative or a close friend of any member or co-opted member.

"Relative" is widely defined by the Act to include:

- spouse or civil partner
- living with the other person as husband or wife or as if they were civil partners
- grandparent & their spouse or civil partner
- lineal descendant of a grandparent & their spouse or civil partner
- parent, sibling, child & their spouse or civil partner

The role of Independent Person for South Ribble Borough Council was advertised and interviews held in early May 2012. The Council's current Independent Person, Mr Barry Parsonage, was subsequently appointed.

Any vacancy for an Independent Person must be advertised and applications sought. Any appointment must be approved by full Council.

Accordingly if Members wished to appoint a second Independent Person it will be necessary to undertake a recruitment exercise.

The application form, advertisement and role description from the previous exercise in 2012 is attached at Appendix A for information and comment should Members wish to pursue a further recruitment exercise to appoint a second Independent Person.

If so it is suggested that a panel be formed consisting of the Chairman of Standards committee, another member from the committee (to be agreed), the existing Independent Person and the Interim Monitoring Officer to undertake any interviews. Any recommendation needs approval by full Council.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas listed below, and the table shows any implications in respect of each of these.

FINANCIAL	The financial implications would be minimal. Apart from the financial costs associated with advertising the role the only other costs would be the payment of the second independent person's travel/mileage costs.
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LEGAL	The appointment of an Independent Person is a statutory requirement of the Localism Act 2011 which stipulates the process to be followed. There is a requirement for any vacancy to be advertised and application forms submitted. Any appointment must be approved by full Council
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RISK	Although there is only a requirement to appoint a single Independent Person there are risks with only having a single person. This includes their absence due to ill health or other commitments and the possibility of a conflict of interest. The appointment of a further IP would mitigate these risks.
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THE IMPACT ON EQUALITY	Any recruitment process would follow good practice in terms of equality.
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OTHER (see below)	
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<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

BACKGROUND DOCUMENTS

Application Form, Advertisement & Role Description from 2012