



Report to Council

Report of: Acting Executive Director, Resources

Date: 2 November 2016

Subject: Extension of the Appointment of the Independent Persons

Author of Report: Dave Ross – Democratic Services
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Summary:

The report proposes extending the appointment of the three existing Independent Persons that assist the Monitoring Officer in dealing with Standards complaints until such time as the appointments for the two Independent Persons are made.

Recommendations:

That the Council approves the extension of the terms of office for the three existing Independent Persons (Stuart Carvell, Marvyn Moore and David Waxman) until such time as the appointments for the two Independent Persons are confirmed at Council.

Background Papers:

None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
YES
Legal implications
NO
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
NONE
Relevant Cabinet Portfolio Leader
CLLR BEN CURRAN
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

1. Introduction

- 1.1 The report proposes extending the terms of office for the three existing Independent Persons that assist the Monitoring Officer in dealing with Standards complaints until such time as the appointments for the two Independent Persons are confirmed by Council.

2. Background

- 2.1 The Localism Act 2011 introduced a new statutory framework for dealing with Standards Issues. In July 2012, the Council adopted a new Code of Conduct, created a Standards Committee and adopted a procedure for investigating Standards Complaints. The Act also created the new role of Independent Person which must be appointed by a Council. This role is reflected in the procedures adopted by the Council.
- 2.2 The Independent Persons must be consulted at various stages of the complaints' process and assist the Monitoring Officer in considering complaints that a Member may have breached the Code of Conduct.
- 2.3 The Council Meeting on 7 November 2012 appointed Stuart Carvell, Marvyn Moore and David Waxman as Independent Persons for a term of four years. This was undertaken jointly with Barnsley Metropolitan Borough Council and the South Yorkshire Joint Fire and Rescue and Integrated Transport Authorities with the remuneration of the posts shared between the three authorities.
- 2.4 The Council Meeting on 6 July 2016 approved the merger of the Audit and Standards Committees and also the reduction in the number of Independent Person from three to two when the posts were advertised. The existing Independent Persons can apply for the new posts.

3. Proposed Extension of the Term of Office

- 3.1 As there has been a delay in commencing the recruitment process for the two Independent Persons, approval is sought to extend the terms of office for the three existing Independent Persons until such time as the new appointments have been confirmed by Council.
- 3.2 It is intended that the recruitment process should be completed in the next six months and the new appointments would made jointly with Barnsley Metropolitan Borough Council.

4. Legal and Financial Implications

- 4.1 There are no legal implications. Until the new appointments have been made, the three Independent Persons would continue to receive their annual allowance of £707.98 which is equivalent to the allowance paid to co-opted members of the Council.

5. **Recommendation**

- 5.1 That the Council approves the extension of the terms of office for the three existing Independent Persons (Stuart Carvell, Marvyn Moore and David Waxman) until such time as the appointments for the two Independent Persons are confirmed at Council.

Acting Executive Director, Resources