

## APPOINTMENT OF INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE AND INDEPENDENT PERSONS

<b>Council</b>	<b>28 March 2019</b>
Report Author	<b>Tim Howes, Director of Corporate Governance and Monitoring Officer</b>
Portfolio Holder	<b>Cabinet Member for Corporate Governance and Coastal Development</b>
Status	<b>For Decision</b>
Classification:	<b>Unrestricted</b>
Key Decision	<b>No</b>

### **Executive Summary:**

This report asks Council to reappoint Dr Sexton and Mrs Bacon as Independent Members of the Standards Committee for the 2019/20 Municipal year. In addition this report also asks Council to re-appoint Mr Dennis James and Peter Tucker to the roles of Independent Person and Deputy Independent Person respectively.

### **Recommendation(s):**

That Council approves the appointment of:

1. Dr Sexton as an Independent Member of the Standards Committee until the 2020 Annual Council meeting.
2. Mrs Bacon as Independent Member of the Standards Committee until the 2020 Annual Council meeting.
3. Dennis James as Independent Person until the 2020 Annual Council meeting.
4. Peter Tucker as Deputy Independent Person until the 2020 Annual Council meeting.

### **CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	Independent Members of the Standards Committee are entitled to a small Special Responsibility Allowance (SRA). These allowances are included in the approved 2019/20 Budget.
<b>Legal</b>	The Council has established a process for handling complaints through the Standards Committee which involves Independent Members which is compliant with the Localism Act 2011.
<b>Corporate</b>	The continued appointment of Independent Members to the Standards Committee will enhance public trust and confidence in the operation of the Council's ethical governance arrangements
<b>Equalities Act 2010 &amp; Public Sector</b>	Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the

<b>Equality Duty</b>	Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.	
	Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.	
	Please indicate which aim is relevant to the report.	
	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
Foster good relations between people who share a protected characteristic and people who do not share it.		
There are no specific issues related to this decision.		

<b>CORPORATE PRIORITIES (tick those relevant)✓</b>	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	

<b>CORPORATE VALUES (tick those relevant)✓</b>	
Delivering value for money	
Supporting the Workforce	✓
Promoting open communications	✓

## 1.0 Introduction and Background

- 1.1 Council agreed on 27 February 2014 to appoint Independent Members to the Standards Committee as part of the process to replace the existing system for Standards.
- 1.2 Two Independent Members were then subsequently appointed being Dr Jonathan Sexton and Mrs Janet Bacon. Dr Sexton was appointed as Chairman of the Standards Committee and Mrs Bacon was appointed as Vice Chairman.
- 1.4 Council agreed on 10 May 2018 to approve re-appointment of Dr Sexton and Mrs Bacon for another year.
- 1.5 In addition on 3 December 2015 Mr Dennis James and Mr Peter Tucker were re-appointed to the roles of Independent Person and Deputy Independent Person respectively until the Annual Council meeting of the 2019 Annual Council meeting.

## 2.0 The Current Situation

- 2.1 All of the appointments referred to above expire at the Annual Council meeting in May 2019. There is now a need to appoint both Independent Members to the Standards Committee and Independent Persons for at the coming year.
- 2.2 Independent Members were originally recruited following recommendation from the Standards Appointments Working Party.

2.3 Having spoken to both Dr Sexton and Mrs Bacon and to Mr James and Mr Tucker they have indicated their willingness to continue for a further year.

### **3.0 Future Appointments**

3.1 If the appointments are agreed by Council it will mean that both Mr James and Mr Tucker have served for seven and a half years from their initial appointment on 6 December 2012 and Dr Sexton and Mrs Bacon will have served for a little over six years from their initial appointment.

3.2 Both the roles of Independent Persons and independent Members are roles that were not intended to be permanent roles, hence their approval at Council meetings. Whilst the authority has been pleased with the performance of the existing incumbents, it is healthy for the Council to periodically solicit interest in these roles. With this in mind it is the intention of Democratic Services to re-advertise both the roles of Independent Persons and Independent Members with a view to appointing new or re-appointing candidates at the 2020 Annual Council meeting.

3.3 In relation to the above point it is important to note that there are four roles of Independent Members and we have only in past appointed two candidates to these roles.

### **4.0 Options**

4.1 To make the following appointments:

1. Dr Sexton as an Independent Member of the Standards Committee until the 2020 Annual Council meeting.
2. Mrs Bacon as Independent Member of the Standards Committee until the 2020 Annual Council meeting.
3. Dennis James as Independent Person until the 2020 Annual Council meeting.
4. Peter Tucker as Deputy Independent Person until the 2020 Annual Council meeting.

4.2 To appoint a selection of those candidates listed in paragraph 4.1. If this is the decision taken, a recruitment process would be required to recruit suitable persons to fill the vacant positions. This could cause some delay in handling matters for investigation through the Standards process and is not recommended.

4.3 The Council could choose to not appoint Dr Sexton, Mrs Bacon, Mr James or Mr Tucker as Independent Members/Persons. If this is the decision taken, a recruitment process would be required to recruit suitable persons to act as Independent Members/Persons. This would cause a significant delay in handling matters for investigation through the Standards process and is not recommended.

### **5.0 Decision Making Process**

5.1 Council is required to confirm the appointment of Independent Members to the Standards Committee and the Independent Persons to ensure that they have a mandate to be able to perform their functions in that role.

Contact Officer:	Tim Howes – Director of Corporate Governance & Monitoring Officer
Reporting to:	Madeline Homer – Chief Executive

### Annex List

None	
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### Background Papers

Title	Details of where to access copy
None	

### Corporate Consultation

<b>Finance</b>	Matthew Sanham, Interim Head of Financial Services
<b>Legal</b>	Tim Howes, Director of Corporate Governance and Monitoring Officer