

APPOINTMENT OF INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE AND INDEPENDENT PERSON

Council	27 February 2020
Report Author	Tim Howes, Director of Corporate Governance and Monitoring Officer
Portfolio Holder	Cabinet Member for Corporate Governance and Coastal Development
Status	For Decision
Classification:	Unrestricted
Key Decision	No

Executive Summary:

This report informs the Council of the results of the recent recruitment exercise to find new Independent Persons and Independent Members of the Standards Committee. This was as a result of the commitment given by Democratic Services at the 29 March 2019 Council meeting to carry out such an exercise in the 2019/20 municipal year.

The Standards Appointments Working Party met on 28 January to interview the candidates and has made three recommendations to the Council which are described in the recommendations section below.

Recommendation(s):

The Standards Appointments Working Party made the following recommendation to Council:

That:

1. Mr Dennis James should be appointed as Thanet District Council's Independent Person for a new four term from the Annual Council meeting in May 2020.
2. Ms Causier should be appointed as an Independent Member of the Standards Committee for a one year term with immediate effect.
3. Mr Tucker should be appointed as an Independent Member of the Standards Committee with immediate effect. In addition he should also be initially appointed as Thanet District Council's Vice Chairman of the Standards Committee until the Council's Annual meeting on 14th May, where he should then be appointed as the Chairman of the Standards Committee for a new four year term.

CORPORATE IMPLICATIONS

Financial and Value for Money	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.
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Legal	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.								
Corporate	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								
Equalities Act 2010 & Public Sector Equality Duty	<p>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 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.</p> <p>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.</p> <table border="1" data-bbox="432 875 1406 1137"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td></td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>There are no specific issues related to this decision.</p>	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.	
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CORPORATE PRIORITIES (tick those relevant) ✓	
Environment	
Growth	
Communities	✓

1.0 Introduction and Background

- 1.1 Council agreed on 28 March 2019 to appoint Dr Jonathan Sexton and Mrs Janet Bacon as Independent Members of the Standards Committee until the 2020 Annual Council meeting. They were then appointed to the roles of Chairman and Vice Chairman of the Standards Committee respectively. In addition Mr Dennis James and Mr Peter Tucker were appointed the Independent Person and Deputy Independent respectively also until the 2020 Annual Council meeting.
- 1.2 As part of the report that was considered at the 28 March meeting Democratic Services gave a commitment to carry out a full recruitment exercise and to ask those appointees to reapply as they had all served multiple terms.

2.0 The Current Situation

- 2.1 Mrs Bacon decided to step down from her role due to personal reasons in April 2019, in addition there are two other vacancies for the roles of independent members, these have been unfilled for a number of years.
- 2.2 Democratic Services ran the recruitment process for an Independent Person, Deputy Independent Person and four Independent Members through December 2019 and January 2020.
- 2.3 The interviews for shortlisted candidates were undertaken by the Standards Appointments Working Party at its meeting on 28 January where they made recommendations to appoint three candidates:

Mr Dennis James to the role of Independent Person
 Mr Peter Tucker and Ms Patricia Causier as Independent Members of the Standards Committee.
 That Mr Peter Tucker should be appointed as Vice Chairman of the Standards Committee until Annual Council in May 2020 and the Chairman after that.

Dr Sexton did not wish to be considered for any of the roles and hence the Committees recommendation for Mr Tucker to the Chairman of the Standards Committee from the next meeting of Annual Council.

- 2.4 As a result of the recruitment process there remains two vacancies for independent Members and the vacancy for the Deputy Independent person. It is the intention to re-advertise for these positions over the coming months.
- 2.5 The Council wishes to place on record its thanks to Dr Sexton for his time as the Independent Chairman of the Standards Committee and his work assisting the Council with its improvement plan.

4.0 Options

- 4.1 To accept the recommendations of the Standards Appointments Working Party.
- 4.2 The Council could choose to not to accept the recommendations of the Standards Appointments Working Party. If this is the decision taken, an entirely new 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

Finance	Matthew Sanham, Financial Services Manager
Legal	Tim Howes, Director of Corporate Governance and Monitoring Officer