

NORTH LINCOLNSHIRE COUNCIL

STANDARDS COMMITTEE

Appointment of Independent Persons and Independent Person Remuneration

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update the Committee on the outcome of the recent process to appoint two Independent Persons under the Council's Standards Arrangements.
- 1.2 To consider the level remuneration for the role of Independent Person.

2. BACKGROUND INFORMATION

- 2.1 Section 28 of the Localism Act 2011 requires the Council to appoint an Independent Person whose views must be sought, and taken into account, before a decision is taken on a Code of Conduct complaint that it has chosen to investigate. Furthermore, full Council in accordance with the Act must ratify the appointment of an Independent Person.
- 2.2 Council appointed Mr. Jonathan Goolden and Mr. Richard Johnson as its Independent Persons at its meeting on 15 May 2012 (minute 2088 refers). Council also appointed Mr. Wayne Harvie as a non-voting, co-opted member of the Standards Committee.
- 2.7 Mr. Goolden resigned from his position of Independent Person as of the Council's 2019 Annual General Meeting. Accordingly the Committee appointed a cross party sub-committee to oversee the appointment of Mr. Goolden's successor.
- 2.8 The position was publically advertised and interviews with candidates were held on 25 June 2019 and 2 July 2019. The sub-committee, mindful of both the Committee on Standards in Public Life best practice recommendation that "Local Authorities should have access to at least two Independent Persons" and the recent increase in town and parish council related complaints, were minded to recommend to full council that two candidates be appointed thereby increasing the pool of Independent Persons, along with Mr. Johnson, to three.

- 2.9 The two candidates that the sub-committee recommend to full council for appointment as Independent Persons are Mr. Wayne Harvie and Mr. Anthony Forbes.
- 2.10 The appointment of Mr. Harvie as an Independent Person would require Mr. Harvie to vacate his position on the Standards Committee as a non-voting, co-opted member but in so doing the sub-committee recommend that one of the other candidates, Mrs. Sue Wroe fill this seat.
- 2.11 In view of the increase in complaints, particularly from town and parish councils and the increasing complexity, it is proposed that the remuneration for Independent Persons be revised to £42 per complaint referral. Currently, Independent Persons are remunerated for each attendance at Assessment or Hearings panel, but this currently means there is no remuneration for those complaints that are disposed of without the need for a Panel or where multiple complaints are considered at one Panel, as is often the case. The amount of reading and preparation time for complaints can be considerable, regardless of whether they trigger attendance at Committee or Assessment or Hearings Panel.

3. OPTIONS FOR CONSIDERATION

- 3.1 That the Committee recommends the appointment by full Council of Mr. Wayne Harvie and Mr. Anthony Forbes as Independent Persons and Mrs. Sue Wroe as a non-voting, co-opted member of the Committee.
- 3.2 That the Committee does not recommend the appointments detailed in paragraph 2.9 and commences a further round of recruitment.
- 3.3 That the Committee recommends to full council the change in remuneration for Independent Persons to £42 per complaint referral.
- 3.4 That the Committee does not recommend the change in remuneration or decides that an alternative level of remuneration should be paid.

4. ANALYSIS OF OPTIONS

- 4.1 The appointments recommended in paragraph 3.1 follow an open and transparent recruitment process overseen by a sub-committee of this Committee and will ensure that the Council continues to accord with best practice, with an expanded pool of three Independent Persons to support its Standards Arrangements.
- 4.2 Should the Committee decide not to recommend the appointments then a further round of recruitment maybe necessary to ensure that the

Council accords with best practice in having more than one Independent Person to support its Standards Arrangements.

4.3 The change in remuneration is considered a proportionate recognition of the work undertaken in assessing complaints, which can often involve a lot of reading and preparation, which under the current remuneration arrangements will go unremunerated where an Assessment or Hearings panel is not required or where multiple complaints are addressed at one panel.

4.4 The Committee may decide to leave the current remuneration arrangements in place, which would mean, based on existing volumes, that a lot of reading and preparation time goes unremunerated. Alternatively, if the Committee believes that an alternative level of remuneration should be paid, further work would be required to formulate such proposals.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 Any additional costs arising from a change in Independent Person remuneration will be met from the Members' Allowance budget.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The proposals detailed in this report will ensure that the Council's Standards Arrangements remain robust, effective and in accordance with best practice thereby helping maintain a safe organisation.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An integrated impact assessment is not required to support this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

7.1 No conflicts of interest have been identified or declared arising from this report.

8. RECOMMENDATIONS

8.1 The Committee recommends to full Council the appointment of Mr. Wayne Harvie and Mr. Anthony Forbes as Independent Persons and Ms Sue Wroe as a co-opted, non-voting member of the Committee.

8.2 The Committee recommends to full Council the change in remuneration to Independent Persons to £42 per complaint referral.

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Background Papers used in the preparation of this report