

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council 28 September 2006
AUTHOR/S: Chief Executive / Democratic Services Officer

APPOINTMENT OF INDEPENDENT MEMBERS TO THE STANDARDS COMMITTEE

Purpose

1. To seek Council's ratification of the recommendations of the Standards Committee Appointments Panel.

Executive Summary

2. Following interviews with five prospective candidates, the Standards Committee Appointments Panel has recommended that three new independent members be appointed to the Standards Committee.

Background

3. The Standards Board for England writes that the role of the independent member¹ "is to help increase public confidence and provide a clear signal that the committee is fair. The independent representative also brings a wider perspective from outside experiences."
4. Members should now be aware that the role of the Standards Committee is set to transform dramatically in the future as it, rather than the Standards Board, is given the responsibility for the initial assessment of all misconduct allegations. These changes are currently likely to occur via primary legislation at the end of 2007/start of 2008. The Committee will then be responsible for investigating and determining most cases with the Standards Board retaining only responsibility for investigating the most serious misconduct allegations. Changes already are happening with more investigations being sent for local investigation by the Standards Board and, given the large numbers of parish councillors in South Cambridgeshire, who also fall within the remit of the Standards Committee, the workload for this committee may increase greatly.
5. Council has already decided to increase the number of district members sitting on the committee so that members could be trained and gain some experience of the work of the Committee before this change happened. It is also recommended good practice for an independent member to chair the Standards Committee and the hearings panels; an increased independent membership would share this workload more evenly so the role does not become too onerous for any one member.
6. Independent members serve a four-year term on the Standards Committee and remain eligible for re-appointment. The original two positions were advertised in the *Cambridge Evening News* in 2001 and seven applications were received. Three applicants were shortlisted for interviews, following which the two current independent

¹ 'Independent' in this context means simply a person who is not a member or officer of the Council, any parish council in the district or any other relevant authority – "the relevant authorities". It has no connotation with political independence from any party or political group.

members of the Standards Committee, Messrs Peter Brindle and David Gilbertson, were appointed.

7. Before these appointments ended in 2005, an advertisement was published in the *Cambridge Evenings News*, resulting in one new application, which was later withdrawn by the applicant. Both Messrs Brindle and Gilbertson re-applied and were re-appointed in November 2005 following interviews.
8. Council, on 24 November 2005, increased the independent membership on the Standards Committee from two to three. This was subsequently amended on 27 July 2006 to "at least three", as the Standards Committee is required to have a minimum 25% independent membership. In light of the low number of applications received following advertisement in the *Cambridge Evening News*, an advertisement for independent members was published in the Summer 2006 edition of *South Cambs Magazine* due to its higher readership figures and greater coverage. This generated twenty-five expressions of interest, from which fifteen applications were received. Five applicants were shortlisted for interviews.
9. The Constitution, at its original drafting, had stated that the Appointments Panel be comprised of the district and parish members of the Standards Committee, as there were not, prior to the appointment of the first independent members, any independent members who could be involved. Amendments to this process could not be considered before the 2005 appointment exercise as the two candidates were the two existing members of the Standards Committee who obviously could not participate in their own interviews. There is no reason in law why current independent members should not participate in the appointment of new independent members.
10. The process for the appointment of independent members was amended by Council on 27 July 2006 to adopt a more streamlined approach, modelled on the Employment Committee's delegation of functions (see Part 3 of the Constitution) for the appointment of chief officers and deputy chief officers other than the Chief Executive. This revision empowered the Standards Committee Chairman, in consultation with the Monitoring Officer, to appoint the Appointments Panel. This revision sought to ensure that:
 - (a) the size of the Appointments Panel was not unwieldy (following the increase in the size of the Standards Committee by Council on 27 July 2006, the Appointments Panel would have comprised ten members under the previous process); and
 - (b) all groups (council, parish and independent) could be represented, subject to consideration of Committee members' experience and training, as Council appoints the council members and parish councils and meetings elect the parish members, but the previous process had excluded the independent members from having any input.
11. Having given consideration to the experience and training of Standards Committee members and ensuring that all three groups on the Committee were represented, the Chairman appointed the Appointments Panel on 28 July 2006 as follows:
 - (a) Mr Peter Brindle, independent member, appointed by the panel on 17 August 2006 to serve as its Chairman
 - (b) Councillor Bob Bryant, council member
 - (c) Mrs Grace Everson, parish member
12. Councillor Mrs VM Trueman, council member, subsequently was appointed at the meeting of the Standards Committee on 9 August 2006, bringing to four the membership of the Appointments Panel.

13. The Standards Committee Chairman declared a personal interest as an acquaintance of one of the candidates, to whom he had mentioned the advertisement in *South Cambs Magazine*, and, to avoid any implications of misconduct, took no part in the appointments process, nor was he informed of the identities of any of the applicants.

Considerations

14. The deadline for applications was Friday 7 July 2006. The Deputy Monitoring Officer, using the Council's agreed Recruitment and Selection Policy, reviewed the applications received by the deadline and prepared a shortlist on Wednesday 12 July. Applications were scored, using a matrix, on their demonstration of the following essential and desired criteria:
- (a) Essential criteria:
 - (i) Breadth of life experience
 - (ii) Some understand of work of the Standards Committee
 - (iii) Familiarity with ethical dilemmas
 - (iv) Commitment to standards and ethics
 - (v) Questioning skills
 - (b) Desired criteria:
 - (i) Understanding of the role of independent
 - (ii) Experience of committee work
 - (iii) Assertive
15. Criteria which would disqualify an applicant include:
- (a) Party or political affiliations;
 - (b) Personal or professional relationships with the Council or any of its members or officers;
 - (c) Contractual relationships with the Council;
 - (d) A district or parish councillor currently or within five years before the date of application;
 - (e) Employed by or otherwise connected with any organisation that relies on the District Council for funding or grant aid;
 - (f) An employee of the District Council or of any other local authority, including parish councils and meetings, currently or within five years before the date of application.
16. Five candidates were shortlisted for interview. At the request of the Chief Executive, following concerns raised by some members about the shortlisting process, the Human Resources Manager undertook an independent assessment of the applications received and confirmed that the process had had been carried out in a satisfactory manner and she had obtained 'substantially similar' results: 'substantially similar' in that there were some differences in individual scores, etc.
17. The Appointments Panel met twice due to the unavailability of one candidate on the original date. At its second meeting, after the interview but before final deliberations, the Panel were invited to consider all the applications received to ensure that the process and the final shortlist of candidates was endorsed without dissent, which it did unanimously.

Options

18. To ratify the recommendations of the Appointments Panel. This would bring membership of the Standards Committee to fifteen, of whom seven would be council members, three would be parish members and five would be independent members.

Training of the new council, parish and independent members could be undertaken before the November Standards Committee meeting.

19. Not to ratify the recommendations of the Appointments Panel. This would leave the Council in breach of the legal requirement to have at least 25% independent membership.

Financial Implications

20. As part of the Members' Allowances Scheme, independent members receive a co-optees' allowance of £262 per annum and are eligible to claim the same for travel, subsistence and carers' expenses as members of the Council. An independent panel reviews the Scheme annually and the final agreement rests with Council.
21. The Association of Independent Members of Standards Committees in England (AIMSce) has been established to provide peer group support, champion the role of independent members and represent their interests. Their inaugural meeting will be on 16 October 2006 at the Fifth Annual Assembly of Standards Committees in Birmingham. The Deputy Monitoring Officer will be attending the assembly and will report details to the Standards Committee in November. Financial implications of possible membership in AIMSce, if any, are unknown.
22. Training sessions are being arranged for all members of the Standards Committee, including training on hearings panels and procedures.

Other Implications

23. Legal	The Standards Committee is required by statute to have at least 25% independent membership. The Constitution requires the Standards Committee to have 'at least four' independent members. The application details of all candidates are exempt information, but the two current and three potential independent members have been asked to provide brief biographical notes for the information of Council, which are appended to this report.
Staffing	None significant.
Risk Management	Standards Committee meetings require that at least one independent member be present in order to be quorate. Having a greater number of independent members reduces this risk.
Equal Opportunities	None.

Consultations

24. Other Cambridgeshire authorities during spring 2006 regarding appointments process.

Effect on Annual Priorities and Corporate Objectives

25. Affordable Homes	None.
Customer Service	Names and contact information of Standards Committee members are published on the Council's website, and committee members may act as a point of contact for members of the public seeking advice about ethical standards in local government.

Northstowe and other growth areas	None.
Quality, Accessible Services	The Standards Committee has an important role to play in the promotion and maintenance of high standards of conduct.
Village Life	The Standards Committee aims to promote confidence in local democracy.
Sustainability	The overlapping four-year terms of office and eligibility of existing members for re-appointment helps to sustain a high level of experience, and existing members can provide support and training for new appointees.
Partnership	The Standards Committee works with neighbouring authorities and CALC to offer training and advice to district and parish councillors.

Conclusions/Summary

26. The Appointments Panel made the following statement:

“The Standards Committee Appointments Panel unanimously recommend the appointments of (in alphabetical order) Ms Georgina Butcher, Ms Melissa Good and Mr Eric Revell – they all demonstrated via their applications and interviews particularly useful previous experience that would be useful to the Standards Committee and had researched the roles of the Standards Committee and of the independent member. All three also gave the impression that they would be more than capable of handling a hearings panel with all that it involves.

“The Panel unanimously endorse the short-listing process and, hence, those presented as the short list for interview.”

Recommendations

27. To ratify the appointment of Ms Georgina Butcher, Ms Melissa Good and Mr Eric Revell to independent membership of the Standards Committee until 2010.

Background Papers: the following background papers were used in the preparation of this report:

Appointments of Independent Members – Monitoring Officer’s Report to Council 22 November 2001
Minutes of Council 22 November 2001, 24 November 2005, 27 July 2006
Local Government Act 2000
Relevant Authorities (Standards Committee) Regulations 2001
SCDC Constitution
Standards Board for England Guidance on Standards Committees

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