

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Civic Affairs Committee

14<sup>th</sup> March 2013

**AUTHOR/S:** Monitoring Officer

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### RECRUITMENT OF INDEPENDENT PERSON

#### Purpose

1. The Council appointed a lead and deputy "independent person" to assist in the assessment of conduct complaints in July 2012. Due to the requirements of the transitional provisions of the Localism Act the post-holders could only be appointed until 30<sup>th</sup> June 2013, as both were former members of the Council's Standards Committee. The report sets out the requirement and process for commencing a new recruitment process.

#### Recommendation:

2. That the Committee:-
  - i) Delegates to the Chairman of the Civic Affairs Committee and the Monitoring Officer the responsibility of recruiting a lead Independent Person and a deputy Independent Person with the aim of recommending two appointments to Annual Council on 24<sup>th</sup> May 2013, with the roles to commence on 1<sup>st</sup> July 2013.
  - ii) Agrees the updated recruitment pack which is appended.

#### Background

3. The Council is required to put procedures in place in order to comply with the provisions of the Localism Act 2011, which places a statutory duty upon the Council to appoint at least one independent person whose:
  - views must be sought and taken into account by the Authority before it makes a finding that any member has failed to comply with its Code of Conduct or imposes any sanction
  - views may be sought on whether to investigate a complaint and how to deal with a particular allegation
  - in addition any member against whom an allegation has been made (including a Parish Councillor) may consult him or her regarding the allegation.
4. The initial wording of the Localism Act prevented any person who had been a member or a co-opted member of South Cambridgeshire District Council in the last five years from being appointed as an Independent Person. Transitional arrangements followed which enabled former members of the Council's Standards Committee to be appointed for the period up to 30<sup>th</sup> June 2013, to assist councils through the period of transition to the new arrangements. The Council appointed Kathy English, the former independent chair of the Standards Committee as lead independent person and Eric Revell, the former chair of the Standard Committee's Assessment Panel, as the deputy independent person. Their terms of office will come to an end on 30<sup>th</sup> June and the council must put arrangements in place to appoint their replacements.

## **Considerations**

5. The Act requires that the Council follows a robust recruitment process for the appointment of IPs. The vacancy must be advertised, application forms must be submitted and the individual appointments must be approved at Full Council by a majority of the members of the Authority. Individuals are not eligible to be appointed as IPs if they are a relative or close friend of any member or co-opted member of South Cambridgeshire District Council and/or any Parish Council within its area.
6. A revised recruitment pack is appended to this report.

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

[Localism Act 2011](#)

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