

Appointment of Independent Persons

Summary

The Localism Act 2011 requires the appointment by the Authority of at least one Independent Person to provide a view on Code of Conduct complaints and if required, to be consulted and to sit on the disciplinary Panel when dealing with Statutory Officers disciplinary or dismissal processes.

Following the Council's current Independent Person reaching the end of their term of office, a recruitment exercise has been undertaken to replace them. It is proposed that, in line with best practice, two Independent Persons are appointed.

Options considered

The Council could continue with just one Independent Person but this is not considered to be good practice.

Conclusion

Following a recruitment exercise, it is anticipated that the Council will be able to appoint two Independent Persons. Interviews took place on 13th December (after the Full Council agenda was published) so an oral update will be provided at the meeting.

Recommendation:

To appoint two Independent Persons (names to be confirmed by the recruitment panel) for a term of four years.

Member(s)	Ward(s) affected
Cllr H Blathwayt	All

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1. Background

- 1.1 Section 28 of the Localism Act 2011 and the Council's arrangements for dealing with Member Code of Conduct complaints require an Independent Persons views to be sought by the Monitoring Officer before making a decision on a Member Code of Conduct allegation.
- 1.2 The best practice recommendations report published in January 2019 by the Committee on Standards in Public Life recommends that local authorities should have access to at least **two** Independent Persons.
- 1.3 An Independent Person should be appointed for a term of no more than four years.
- 1.4 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, also requires at least two Independent Persons to be consulted and to sit on the disciplinary Panel when dealing with Statutory Officers disciplinary or dismissal processes.
- 1.5 The Council has been operating with one Independent Person since 2012. Recruiting

two new Independent Persons will ensure the Council is following best practice recommendations, is able to call on two Independent Persons should the need arise and will provide more resilience should a conflict or sickness issue arise.

- 2.6 In accordance with the requirements set out in the Localism Act 2011, a public recruitment exercise has taken place in November and December 2022.

2. Recruitment Process

- 3.1 Recruitment for the role commenced in November 2022. There was considerable interest and six candidates were shortlisted. Interviews were held on 13th December. The Panel was comprised of Cllr Blathwayt (Chairman of Standards Committee), Cllr C Cushing, Cllr J Rest and the Monitoring Officer.

3. Financial implications

Independent Persons are paid £25 per hour for any work undertaken. This is in line with other Norfolk Authorities and remains unchanged from 2012, when the role was established.