

**Report for:** Standards Committee - 7 March 2016

**Item number:**

**Title:** **Appointment of Independent Persons under section 28(7) of the Localism Act 2011 (to support the operation of the Code of Conduct by the Standards Committee) from 1 July 2016 to 30 June 2020**

**Report authorised by :** Bernie Ryan – Assistant Director Corporate Governance & Monitoring Officer

**Lead Officer:** Alison Vydulinska

**Ward(s) affected:** None

**Report for Key/  
Non Key Decision:** Non Key Decision

## **1. Describe the issue under consideration**

- 1.1 This report seeks the Committee's approval to recommend to full Council the appointment of Lisa Klein as Independent Person and Alison Lowton as Secondary Independent Person under section 28(7) of the Localism Act 2011, to support the operation of the Code of Conduct by the Standards Committee. It should be noted that Independent Persons appointed to this position may also be appointed to a panel convened to consider a proposal to dismiss a Statutory Chief Officer under the Local Authorities (Standing Orders) (England) Regulations 2015.

## **2. Cabinet Member Introduction**

N/A

## **3. Recommendations**

That this Committee recommends:

- 3.1 That full Council appoint Lisa Klein as Independent Person, and Alison Lowton as secondary Independent Person under s28(7) of the Localism Act 2011 for a period of 4 years commencing 1 July 2016 and ending on 30 June 2020;

- 3.2 That full council approve the allowance paid per annum to the Independent Person, and Secondary Independent person be £1250.00 and £250.00 respectively.

#### **4. Background**

- 4.1 The Council must appoint at least one Independent Person (IP) whose views are to be sought and taken into account by the Council before it makes its decisions on allegations about breaches of the Code of Conduct that it has decided to investigate. The views of the Independent Person may also be sought by the Council's Monitoring Officer where an investigation has not yet been commenced, and by a member who is the subject of a complaint.
- 4.2 Under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 the Council must have in place arrangements for inviting Independent Persons to be involved in making recommendations to Council before any decision to dismiss a statutory chief officer. It would be possible to use IPs other than those appointed to support the Code of Conduct, or IPs from other authorities for this purpose, however it is considered sensible to use the IPs supporting the Code of Conduct for this purpose if needed as well.
- 4.3 Following on from the Standards Committee's approval in October 2015 to the recruitment process to seek an Independent Person (to commence office on 1 July 2016 for a four year term), the recruitment process proceeded in December 2015 and January 2016, and the interviews for the position took place on 27 January 2016. The Interview Panel consisted of Councillors Morris, Reith and Sahota.
- 4.4 Following on from the Interviews – the Interview Panel recommend that the following persons be appointed as follows:
- Lisa Klein - Independent Person  
Alison Lowton – Secondary Independent Person
- 4.5 In accordance with section 28(7) of the Localism Act 2011 any appointment of Independent Persons is required to be agreed by Full Council, and so Full Council will be asked to confirm this appointment at its meeting on 17 March 2016.
- 4.6 In respect of the allowances paid to the respective positions the Standards Committee agreed at its meeting on 15 October 2015 to recommend to full Council that the allowance paid per annum to the Independent Person, and Secondary Independent person should be £1250.00 and £250.00 respectively.

#### **5. Statutory Officers comments**

##### **5.1 Comments of the Chief Finance Officer and Financial Implications**

The cost of these posts is £1,500, which is £500 more than the current cost of the incumbents. The increase reflects the potential additional role of the

Independent Persons in relation to the dismissal of statutory chief officers and can be met from within existing budgets.

## 5.2 Comments of the Assistant Director of Corporate Governance and Legal Implications

These are included within the main body of this report.

## 5.3 Equalities and Community Cohesion Comments

Although Independent Persons are not employees or officers of the Council, and are statutory appointees, the recruitment process for them followed the recruitment process for employees/officers, including a person specification and appointment criteria against which the relevant skills and abilities were assessed. The advert for these positions was advertised widely in a number of local newspapers (as required in law) including in their online presence, as well as on the Council's own website.

## 6. **Use of Appendices**

N/A

## 7. **Local Government (Access to Information) Act 1985**

### 7.1 Background documents:

Recruitment of Independent Person – Standards Cttee – 15/10/15

The background papers are located at River Park House, 225 High Road, Wood Green, London N22 8HQ.

To inspect them or to discuss this report further, please contact Ayshe Simsek on 0208 489 2920.