

Report of:	Council Solicitor
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Portfolio Leader:	Leader of the Council
Key Decision:	No
Report Track:	Council: 06/11/19

**COUNCIL
6 NOVEMBER 2019
APPOINTMENT OF INDEPENDENT PERSON**

1 Purpose of Report

- 1.1 To seek Council's approval for the appointment of an Independent Person to exercise standards functions set out in the Localism Act 2011.

2 Recommendation(s)

- 2.1 That Council approve the appointment of Carol Dawson as Independent Person under section 28 of the Localism Act 2011.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 Section 28 of the Localism Act 2011 requires the Council to appoint an Independent Person to carry out functions in relation to member code of conduct issues.

Reasons for Recommendations

- 3.2 The Council has received an application from a suitable candidate. Any appointment must be approved by full Council.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council's Corporate Priorities as follows:
- (i) It supports effective governance of Council decision making by helping to ensure high Member standards.

5 Report Detail

- 5.1 The Localism Act 2011 requires the Council to appoint at least one Independent Person whose views are to be sought in relation to Member Code of Conduct issues.
- 5.2 Specifically, the Act requires that the Independent Person:
- (i) must be consulted, and their views taken into account, before the council makes a decision on any allegation relating to a breach of the Member Code of Conduct it has decided to investigate;
 - (ii) may be consulted by the council in other circumstances relating to such allegations; and
 - (iii) may be consulted by a Member against whom an allegation of misconduct has been made.
- 5.3 In addition to fulfilling those statutory functions, the Independent Person is entitled to attend any meeting of the Council's Standards Committee as a non-voting member.
- 5.4 A person may not be appointed unless the vacancy has been advertised, the person has submitted an application, and the appointment has been approved by the majority of Council members.
- 5.5 The Council recently advertised this vacancy and received an application from Carol Dawson. A panel, consisting of all Group Leaders, conducted an assessment interview with Mrs Dawson and have recommended that she be appointed by the Council.
- 5.6 Mrs Dawson has a background in research ethics as well as previous experience of acting as an independent member on a local authority Standards Committee. She is also currently the Independent Person at Stafford Borough Council.

6 Implications**6.1 Financial**

No allowance is payable for this role, although any out of pocket expenses may be claimed for carrying out its duties.

6.2 Legal

Appointment of at least one Independent Person is a requirement of section 28 of the Localism Act 2011.

6.3 Human Resources

None.

6.4 **Section 17 (Crime Prevention)**

None.

6.5 **Human Rights Act**

None.

6.6 **Data Protection**

None.

6.7 **Risk Management**

None.

6.8 **Equality & Diversity**

None.

6.9 **Best Value**

None.

7 Appendices to the Report

None

Previous Consideration

None

Background Papers

None.