

Report to	-	Audit and Standards Committee
Date	-	26 June 2017
Report of the	-	Monitoring Officer
Subject	-	Independent Persons - Recruitment

Recommendation to COUNCIL: That the two recommended Independent Persons be appointed as this Council's Independent Persons in accordance with Chapter 7, Section 28 of the Localism Act 2011, for a term of 4 years commencing from 11 July 2017.

Service Manager: John Collins

Introduction

1. As Members will recall at the last meeting held on 15 May, the Committee were advised of the need to appoint two Independent Persons to assist with the standards complaints process in accordance with the Localism Act 2011.
2. The Committee nominated two Members of the Committee together with the Monitoring Officer to comprise a panel to interview the suitable applicants and make a recommendation, via this meeting of the Audit and Standards Committee on 26 June and then onto full Council on 10 July 2017.

Publicity

3. The Independent Persons vacancies were advertised on the Council's website and notified to all Councillors and all Parish and Town Councils within the Rother area. A person may not be appointed as an Independent Person if that person:-
 - (a) Is a member, or co-opted member or officer of Rother District Council or its parish councils;
 - (b) Has been a member, or co-opted member or officer of Rother District Council or its parish councils in the previous 5 years;
 - (c) Is a relative or close friend of a person who is an officer or member of Rother District Council or its parish councils.

Selection and Interview Panel

4. At the closing date, 8 applications had been received. The Panel is due to meet on 21 June 2017 and 5 candidates have been invited to attend for an interview.
5. The decision of the Panel will be reported verbally at this meeting, in order that the Committee can then make a recommendation to full Council on 10 July 2017. Under the Localism Act, a person may not be appointed under the provision required by subsection unless —

- (i) the vacancy for an independent person has been advertised in such manner as the authority considers is likely to bring it to the attention of the public,
- (ii) the person has submitted an application to fill the vacancy to the authority, and
- (iii) the person's appointment has been approved by a majority of the members of the authority.

Conclusion

- 6. It is requirement of the Localism Act and the Standards regime that the Council appoint Independent Person(s) to assist with the investigation and determination of complaints made against elected Members.
- 7. Following the due recruitment process, the names of two persons to be confirmed at this meeting will be submitted to the full Council to be held on Monday 10 July where the appointments need to be approved by a majority of the Members of the Council.

John Collins

Service Manager – Corporate and Human Resources and Monitoring Officer

Risk Assessment Statement

Failure to appoint Independent Persons would put the Council in breach of Chapter 7, Section 28 of the Localism Act 2011 and the Council would be unable to operate the investigation and determination of complaints in accordance with set procedures.