

Joint Standards Committee

26th November 2015

Report of the Monitoring Officer

Appointment of an Independent Person

Summary

1. This report seeks Members' approval for a process leading to the appointment of an Independent Person following the decision of one of the current appointees to stand down once a replacement is identified.

Background

2. The City Council is required by law to appoint at least one Independent Person whose views must be sought before it makes a decision following an investigation into a complaint that the Code of Conduct may have been breached. Under the Joint Standards Committee's procedures the Independent Persons are also consulted whenever a complaint is received and their views taken into account in determining whether a complaint should be investigated. The Independent Persons are also invited to participate in meetings of the Committee and Sub Committees.
3. On the Committee's recommendation the City Council has appointed two Independent Persons. This allows for any occasion when one of them may feel that he has a conflict of interest. A more recent change in the law requires the involvement of two independent persons in disciplinary proceedings affecting certain statutory chief officers. It therefore remains appropriate for the City Council to seek to have two such persons in place.
4. Mr. Nicholas Hall was appointed to one of the current positions in 2013 and has provided invaluable assistance since that time. He now wishes to stand down although he has kindly continued to act while the process of indentifying a successor has been underway. That process has included:

- An advert on the Council's website in the jobs and the volunteers section
- An approach to CVS who advertised the vacancy
- A press release
- A note to all Members advising them of the forthcoming vacancy

Although several application forms were requested no applications have been received. The closing date for applications has though been extended and those who expressed an interest are being contacted individually.

5. The Committee previously decided that it would not consider applications from individuals who were members of a political party. It is known that at least one potential applicant was disqualified by that provision and Members are asked whether they feel that it should remain an essential qualification.
6. In due course it will be necessary to agree a process for appointment. The final decision rests with Full Council but the process adopted previously of a panel comprising members of the Committee interviewing applicants and making a recommendation via the Committee worked well. If Members are minded to support the same process then it is suggested that a Panel of three should be appointed including either the Chair or Vice Chair of the Committee and at least one City and one Parish Councillor.

Recommendations

7. Members are recommended to:
 - 1) Thank Mr. Hall for his continuing contribution to the work of the Committee

Reason: To reflect the Committee's gratitude for his contribution to promoting ethical standards amongst Members
 - 2) Determine whether to maintain membership of a political party as a disqualification from acting as an Independent Person
 - 3) Agree the appointment of an interview Panel

Reason: To enable an appointment to be progressed

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Report Date 13/11/15
Approved

Wards Affected: *List wards or tick box to indicate all* All

For further information please contact the author of the report

Background Papers:

None