

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

ANNUAL COUNCIL – TUESDAY, 17 MAY 2016

Title of report	APPOINTMENT OF INDEPENDENT PERSONS
Contacts	<p>Councillor Nick Rushton 01530 412059 nicholas.rushton@nwleicestershire.gov.uk</p> <p>Interim Director of Resources 01530 454833 andrew.hunkin@nwleicestershire.gov.uk</p> <p>Head of Legal and Support Services 01530 454762 elizabeth.warhurst@nwleicestershire.gov.uk</p>
Purpose of report	To appoint a pool of Independent Persons in accordance with legislative requirements
Council priorities	Value for Money.
Implications:	
Financial/Staff	None.
Link to relevant CAT	None.
Risk Management	Compliance with legislative requirements reduces the risk of a challenge to the Council's procedures
Equalities Impact Screening	Not applicable.
Human Rights	Not applicable.
Transformational Government	Clear and robust governance arrangements and procedures assist with effective proper decision making.
Comments of Head of Paid Service	The report is satisfactory.
Comments of Deputy Section 151 Officer	The report is satisfactory.
Comments of Deputy Monitoring Officer	The report is satisfactory.
Consultees	Head of Legal and Support Services

Background papers	None
Recommendations	1. MEMBERS APPOINT THE INDEPENDENT PERSONS LISTED IN PARAGRAPH 2.2 OF THE REPORT UNTIL ANNUAL COUNCIL IN MAY 2019

1. BACKGROUND

- 1.1 The Localism Act 2011 made fundamental changes to the system of regulating standards of conduct for elected and co-opted Members making each Authority responsible for its own Members. The duty now lies with the individual Authorities (and their Monitoring Officer) to investigate and hold to account Members accused of breaches.
- 1.2 Under the Localism Act the role of the Independent Person changed with their participation in proceedings being more involved from the outset any allegations.
- 1.3 In additions as a result of changes introduced by The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 where an authority is considering the dismissal of a statutory officer it is required to appoint a Committee (referred to in the regulations as "the Panel") to considered the proposed dismissal which must include at least 2 "Independent Persons".
- 1.4 When Council approved the amendments to the Constitution in November 2015 to reflect the legislative changes in the dismissal procedure it decided to appoint the Independent Persons appointed for the purposes of the Standards Regime as Independent Persons for the purposes of the dismissal procedure.

2. INDEPENDENT PERSONS

- 2.1 The current pool of Independent Persons were appointed in June 2012 following a joint county wide recruitment exercise and their term of office expires at the end of the current Municipal Year.
- 2.2 In February/March 2016 the Monitoring Officer agreed to a joint county wide recruitment exercise with county colleagues which resulted in 8 applications for the role of Independent Person. Following an interview process conducted by 3 County Monitoring/Deputy Monitoring Officers, 6 candidates are recommended for appointment as Independent persons:

Michael Pearson
Mark Shaw
Christine Howell
Gordon Grime
Richard Gough
Rob Wade

- 2.3 A brief resume of each candidate can be found at Appendix 1.
- 2.4 It is recommended that the Independent Persons are appointed until annual council in May 2019.