



Council

Thursday, 30 September 2021

Appointment of Independent Persons

Report of the Monitoring Officer

**Cabinet Portfolio Holder for Strategic and Borough Wide Leadership,
Councillor S J Robinson**

1. Purpose of report

This report recommends the appointment of Mr Christopher Richards and Ms Helen Richardson as the Council's Independent Persons for standards as required by the Localism Act 2011 (the Act).

2. Recommendation

It is RECOMMENDED the Council appoints Mr Christopher Richards and Ms Helen Richardson as its Independent Persons for standards under section 28(7) of the Act for a fixed period of two years.

3. Reasons for Recommendation

The Council is required pursuant to Section 28(7) of the Act to have access to at least one Independent Person.

4. Supporting Information

4.1. On 12 December 2013, Council approved the appointment of Mr John Baggaley as its Independent Person. Mr Baggaley has remained in post as the Council's single Independent Person.

4.2. On 11 July 2019, Council adopted the Best Practice Principals and recommendations of the Committee on Standards in Public Life (CSPL). Best Practice 7 states:

“Local authorities should have access to at least two Independent Persons”.

4.3. The roles were advertised pursuant to Section 28(8)(c) of the Act. The Chief Executive and Monitoring Officer conducted interviews in May 2021 for two Independent Persons. Following the interviews, Mr Christopher Richards and Ms Helen Richardson were considered suitable persons for the role. Both have considerable experience which lends itself to the role, in particular, conducting Ofsted and HR investigations. Further details of their relevant experience have been provided to the Group Leaders in advance of the meeting.

- 4.4. It is proposed that Mr John Baggaley continue in the role alongside Helen and Christopher for a period of 12 months to 30 September 2022, to provide support and training to Helen and Christopher alongside the Monitoring Officer.
- 4.5. The appointment of the Independent Person must be approved by the majority of the membership of the Council.

5. Alternative options considered and reasons for rejection

No alternative options are considered given the application of the Act.

6. Risks and Uncertainties

The Council would fail to meet its statutory obligations as prescribed by the Act if it did not have access to at least one Independent Person. Whilst the Council could continue with Mr John Baggaley as its single Independent Person, the CSPL report recommends that Independent Persons be appointed for a fixed term of two years, and that the Council have access to at least two. Mr Baggaley has acted in the role on behalf of the Council since 2013.

7. Implications

7.1. Financial Implications

An annual allowance equivalent to that payable to the co-opted members of the Standards Committee (currently £320) is payable to the post-holders.

7.2. Legal Implications

The legal implications are set out in the body of this report.

7.3. Equalities Implications

There are no direct implications.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

The Independent Person will be consulted upon complaints concerning member misconduct, including allegations that could constitute criminal offences, such as the failure to declare disclosable pecuniary interests under the Members' Code of Conduct.

8. Link to Corporate Priorities

Quality of Life Efficient Services Sustainable Growth The Environment	The appointment of Independent Persons supports all Corporate Priorities.
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9. Recommendation

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For more information contact:	Sanjit Sull Monitoring Officer 0115 914 8332 ssull@rushcliffe.gov.uk
Background papers available for Inspection:	N/A
List of appendices:	N/A