

MEETING OF THE FULL COUNCIL

19 JULY 2017

REPORT OF MONITORING OFFICER

APPOINTMENT OF INDEPENDENT PERSONS

1.0 PURPOSE OF THE REPORT

- 1.1 To note that the Council must appoint two Independent Persons under the Localism Act 2011 to give an independent view on allegations that a Councillor has not complied with the Code of Conduct.
- 1.2 To advise that the term of office of the existing Independent Person ends on 18 July 2017 and, following a recruitment process, the Council is requested to confirm the appointment of two Independent Persons with immediate effect.

2.0 RECOMMENDATIONS

- 2.1 **To confirm the appointments of Mr. Gordon Grimes and Mr. Adam Lowe as Independent Persons with immediate effect.**

3.0 KEY ISSUES

- 3.1 Councils have a new duty to promote and maintain high standards of conduct by their elected Councillors and co-opted Members. Under Section 28(6) and (7) of the Localism Act 2011, every district/borough council must have in place 'arrangements' under which allegations that a Member or co-opted Member of that council (or any Member or co-opted Member of a town or parish council within that district/borough council's area) has failed to comply with the relevant council's code of conduct can be investigated and decisions made on such allegations.
- 3.2 The Council must appoint at least one 'independent person' – essentially not a current or former officer or member of the Council or a relative or close friend of either of the aforementioned categories. The Independent Person must be consulted before making a decision on a Member conduct complaint that has been investigated. The Council may also consult with that person when deciding whether to accept or reject a new complaint when it is received. The Independent Person will also be available for consultation by the Member who is the subject of the complaint.
- 3.3 The recruitment process for this appointment consisted of details being published on the Council's website and an advertisement in the Melton Times and the Leicester Mercury. A copy of the advertisement is attached at Appendix A. The job description and person specification for the Independent Persons are attached at Appendices B and C.
- 3.4 Following this advertisement, four applications were received and following interviews of all the applicants, it is recommended that the Council appoint Mr Gordon Grimes and Mr Adam Lowe as the Independent Persons for Melton Borough Council. Mr Grimes has had a long career within the public sector in a

senior civil service role and has extensive experience in the Independent Person role both at Melton being our current Independent Person as well across Leicestershire as part of the pool of Independent Persons called on with regard to governance matters. Mr Lowe has workplace experience of staff investigations and hearings. He has also been involved in public service as a Town Councillor and as a Special Police Constable.

4.0 POLICY & CORPORATE IMPLICATIONS

4.1 The Council is required by the Localism Act 2011 to appoint at least one Independent Person as part of the arrangements in place to demonstrate the promotion of good ethical governance. It provides an opportunity to retain confidence in the ethical governance of the Borough Council and demonstrates a commitment to public accountability for the actions of the Members.

5.0 FINANCIAL IMPLICATIONS

5.1 The Independent Persons are paid an allowance and expenses in line with that recommended by the Welland Remuneration Panel.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 These are referred to in the body of the report.

7.0 COMMUNITY SAFETY

7.1 There are no direct links to community safety as a result of this report.

8.0 EQUALITIES

8.1 The recruitment process took into account equality and diversity issues.

9.0 RISKS

9.1

L I K E L I H O O D	A	Very High				
	B	High				
	C	Significant				
	D	Low			1	
	E	Very Low				
	F	Almost Impossible				
			Negligible 1	Marginal 2	Critical 3	Catastrophic 4
IMPACT						

Risk No	Risk Description
1	Failure to appoint an Independent Person will be in breach of the legislation and a failure to demonstrate the effective promotion of ethical governance.

10.0 CLIMATE CHANGE

10.1 There are no direct links to climate change as a result of this report

11.0 CONSULTATION

11.1 The Chair of the Governance Committee was consulted on the recruitment process and documentation. The Leicestershire Group of Monitoring Officers was consulted on the process followed for their recent recruitment.

12.0 WARDS AFFECTED

12.1 All wards are affected.

Contact Officer: Angela Roberts/Sarah Evans
Date: July 2017
Appendices: Appendix A Advert for Independent Persons
Appendix B Job Description
Appendix C Person Specification
Background Papers:
Reference: X: Committees/Council/2017/18/190717