

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Standards Committee

21 November 2019

TITLE:	Appointment of Independent Person
PORTFOLIO HOLDER:	Councillor Sybil Ralphs - Council Leader
CONTACT OFFICER:	Linden Vernon - Senior Officer (Governance and Member Support)
WARDS INVOLVED:	Non-Specific

1. Reason for the Report

- 1.1 To consider the recruitment of an Independent Person.

2. Recommendation

- 2.1 That an advertisement be placed for the vacant position of Independent Person.

3. Executive Summary

- 3.1 The Council is required to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes a decision on an allegation it has decided to investigate. The Independent Person must be appointed through a process of public advertisement, application and appointment by a positive vote of the majority of all members of the Council.
- 3.2 The Council currently has a vacancy for a substitute Independent Person and it is proposed that the vacancy be advertised via the Council's website and that shortlisted candidates be interviewed by the Chair/Vice-Chair of the Committee and the relevant Executive Director for a recommendation to Council to be made.

4. How this report links to Corporate Priorities

- 4.1 High standards of conduct are integral to the Council achieving its corporate priorities.

5. **Alternative Options**

5.1 There are no options to consider.

Mark Trillo

Executive Director (People) and Monitoring Officer

Web Links and Background Papers

[Localism Act 2011](#)

Contact details

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6. **Detail**

6.1 In accordance with Section 28 (7) of the Local Government Act 2011 the Council is required to appoint at least one Independent Person whose views must be sought and taken into account before the Council makes a decision on an allegation it has decided to investigate. The Independent Person's views may also be sought by a member or co-opted member whose behaviour is subject to an allegation.

6.2 In addition the Council's Independent Persons are also invited to attend and participate at meetings of the Standards Committee and Audit and Accounts Committees.

6.3 Following the introduction of these arrangements the Authority appointed an Independent Person together with two substitutes. Sadly, one the substitute appointments, Mr Barry Steans, passed away during 2018 and it is proposed that the Council now recruits to this vacant position.

6.4 The Independent Person cannot be:

1. a member, co-opted member or officer of the authority
2. a member, co-opted member or officer of a parish council of which the Authority is the principal authority, or
3. a relative, or close friend, of a person within items 1 or 2

6.5 In addition a person may not be appointed if at any time during the 5 years the person was:

1. a member, co-opted member or officer of the authority, or
2. a member, co-opted member or officer of a parish council of which the Authority is the principal authority

6.6 The Independent Person must be appointed through a process of public advertisement, application and appointment by a positive vote of the majority

of all members of the Council.

- 6.7 It is therefore proposed that the vacancy be advertised via the Council's website and that shortlisted candidates be interviewed by the Chair/Vice-Chair of the Committee and the relevant Executive Director for a recommendation to Council to be made.
- 6.8 The position will receive an allowance of £478 per annum and the appointee will be able to claim out of pocket expenses.