



MONITORING OFFICER REPORT TO COUNCIL

RECRUITMENT OF INDEPENDENT PERSON

KEY ISSUE/DECISION:

This report updates the Council on progress in appointing to the new role of "Independent Person."

The report recommends interim arrangements to share Independent Persons with Guildford and Spelthorne Borough and Mole Valley District Councils pending Council approving a permanent appointment to the role.

CONTEXT

1. The new regime introduced by the Localism Act 2011 abolished the Standards Board and the need for Standards Committees. New complaint handling arrangements put in place by the Council at its meeting of 17 July 2012 require any complaints received about councillor conduct to be handled by a Member Conduct Panel, which must consult an Independent Person before reaching any decision on a complaint.
2. At that same meeting the Council adopted its new Code of Conduct, governing elected and co-opted members' conduct when acting in that capacity.
3. Selection of an Independent Person (as required by the legislation) was delegated to a panel of 3 Members to be nominated by Group Leaders from within the membership of the Member Conduct Panel and the Council authorised the Monitoring Officer to identify an appropriate interim Independent Person, appointed by a Surrey District or Borough Council to fulfil the role should the need arise.

Appointment of Independent Person

4. The Council must appoint "at least one independent person" whose views must be sought after an investigation into a complaint has been conducted and before a decision on it is made. Members who have had an allegation made against them may also seek the views of the independent person if they wish. The Act prevents councillors, officers or their relatives or friends from being appointed as an independent person and provides for the recruitment process to be publicised and transparent. Appointment of one or more independent persons must be approved by the majority of Members of the Council.

5. A person specification and role profile for the Independent Person was drafted and advertised via the County Council's website, for several weeks after the July Council meeting. It was intended that a selection panel drawn from the Member Conduct Panel would shortlist and interview applicants for the role of Independent Person and make a final recommendation to the County Council in October. However when the application period closed at the beginning of September there was not a sufficient number of high calibre applicants to proceed to short-listing. The Monitoring Officer, in consultation with the Vice Chairman of the Council postponed the Panel's selection of candidates for interview and re-advertised. The extended advertising period has recently closed, with a greater number of potential candidates having come forward. It is anticipated that the successful candidate or candidates will be recommended to Council when it meets in December.

6. The Monitoring Officer has also approached her colleagues at Guildford Borough Council, Mole Valley District Council and Spelthorne Borough Council. These Councils have jointly appointed a pool of three independent Persons who can be called upon by any of those three authorities. They have consented to Surrey County Council joining in these arrangements as an interim solution until the Council recruits and appoint an Independent Person. The Monitoring Officer has also approached each of the Independent Persons so appointed and they have agreed to the proposal.

RECOMMENDATIONS:

The County Council notes the report on progress to appoint an Independent Person and agrees to participate in joint arrangements with three other Councils for an interim period and so appoints Tony Allenby, Vivienne Cameron and Roger Pett as interim Independent Persons for Surrey County Council until such time as a permanent appointment is made

Lead/Contact Officer:

Ann Charlton
Monitoring Officer and Head of Legal & Democratic Services
Email: ann.charlton@surreycc.gov.uk
Tel: 020 8541 9001

Sources/background papers:

Localism Act 2011
