



MONITORING OFFICER REPORT TO COUNCIL

RECRUITMENT OF INDEPENDENT PERSON

KEY ISSUE/DECISION:

To appoint an Independent Person for Surrey County Council for a four year term expiring in December 2020, in line with the Localism Act 2011.

BACKGROUND

1. The Council's arrangements for handling complaints about Member conduct require any complaint which proceeds to an investigation to be determined by a Member Conduct Panel and the Localism Act requires that any final decision on such a Code of Conduct complaint can only be made after consultation with an Independent Person, appointed by the Council.
2. In December 2012, the County Council appointed Professor Michael Joy as its first Independent Person for a four-year term. As Professor Joy's tenure is drawing to a close, the purpose of this report is to seek the County Council's approval for a recommended candidate(s) to be appointed to the role for the next four years.

Appointment of Independent Person

3. In accordance with the Localism Act 2011, the Council must appoint "at least one independent person" whose views must be sought after an investigation into a complaint against a Member has been conducted and before a decision on it is made. In addition, the Independent Person would be involved in any disciplinary action against one of the Council's statutory officers. Members who have had an allegation made against them may also seek the views of the Independent Person if they wish. The Act prohibits SCC councillors, officers or their relatives or friends from being appointed as the Independent Person and provides for the recruitment process to be publicised and transparent.

4. Appointment of one or more Independent Persons must be approved by the majority of Members of the Council, although selection of the preferred candidate is delegated to a panel of three Members drawn from within the membership of the Member Conduct Panel.
5. A person specification and role profile for the Independent Person were drafted and advertised via the County Council's website during October. Following the closing date, the Monitoring Officer and Democratic Services Lead Manager provided a shortlist of candidates to the selection panel and set up interviews for all those identified on that list.
6. On Tuesday 29 November, the selection panel (consisting of the Vice Chairman of the Council, David Harmer and Eber Kington) will be interviewing the shortlisted candidates.
7. As these interviews will be held after publication of this agenda the panel's recommendations will be reported to the Council at its meeting for formal ratification.

<u>RECOMMENDATIONS:</u>

That the Council agrees the recommendation of the selection panel and appoints the Independent Person it proposes for a four year term ending on 5 December 2020.

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Sources/background papers:

Localism Act 2011
