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## MONITORING OFFICER REPORT TO COUNCIL

### RECRUITMENT OF INDEPENDENT PERSON

#### KEY ISSUE/DECISION:

To appoint an Independent Person for Surrey County Council, in line with the Localism Act 2011.

#### 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.

#### 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.
6. 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 role, resulting in a greater number of potential candidates coming forward.
7. Officers provided a long-list of potential candidates to the selection panel and a shortlist of candidates to interview was then agreed by Members.
8. On Monday 12 November, the selection panel (consisting of the Chairman and Vice Chairman of the Council and John Orrick) interviewed the shortlisted candidates.
9. Upon completion of the interviews, the Panel agreed that given the anticipated workload, the County Council only required one Independent Person at this time and agreed to recommend Professor Michael Joy OBE for appointment.

<b>RECOMMENDATIONS:</b>
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The County Council appoints Professor Michael Joy OBE as the Independent Person for Surrey County Council for a period of four years, ending on 11 December 2016.

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**Sources/background papers:**

Localism Act 2011

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