

HARBOROUGH DISTRICT COUNCIL

REPORT TO THE ANNUAL COUNCIL MEETING ON 5 MAY 2021

PUBLIC REPORT: Yes

EXEMPT REPORT: N

Report Title	APPOINTMENT OF INDEPENDENT PERSONS 2021 - 2025
KEY DECISION	Not applicable
Report Author	Verina Wenham, Director Law and Governance and Monitoring Officer
Purpose of Report	To appoint the pool of Independent Persons in accordance with legislative requirements
Reason for Decision	The Council needs to appoint at least one Independent Person to comply with the requirements of the Localism Act 2011.
Portfolio (holder)	Councillor Dann Corporate Services and Regulatory Cabinet member
Corporate Priorities	Maintaining and promoting high standards of member conduct supports all the Council's priorities.
Financial Implications	The Independent Persons do not receive an allowance however can claim expenses incurred in carrying out their role.
Risk Management Implications	As set out in the body of this report.
Environmental Implications	None as far as this report is concerned.
Legal Implications	None except as stated in this Report
Equality Implications	None as far as this report is concerned
Data Protection Implications	None as far as this report is concerned
Consultation	Existing Independent Persons Advertisement
Options	The Council has a legal requirement to appoint at least one Independent Person in accordance with the Localism Act 2011.
Background Papers	Localism Act 2011 The Local Authorities (Standing Orders) (England)(Amendment) Regulations 2015
Appendices	Appendix A: Independent Persons recommended for appointment.
Recommendation	THAT THE COUNCIL APPOINT THE INDEPENDENT PERSONS LISTED IN PARAGRAPH 2.1 OF THIS REPORT FOR THE TERM OF OFFICE OF FOUR YEARS UNTIL ANNUAL COUNCIL IN MAY 2025

1 Introduction

- 1.1 On 25 June 2012 the Council considered a report which detailed the changes to the role of the Independent Person (IP) introduced to the Standards Regime under the Localism Act 2011. Under the Act, the Independent Person is involved from the outset in any allegations about conduct under the Members' Code of Conduct.
- 1.2 Since then, the Council has been part of an IP pool arrangement with the seven other Leicestershire District and Borough Councils. Appointment to the pool has been via a joint recruitment exercise led by a working group comprising 3 Monitoring Officers. Appointments were made to the pool in 2012 and 2016 and the terms of office of each IP were extended in 2020 and 2021 to enable Councils to synchronise their respective terms of office and due to a pause in the recruitment process due to COVID 19 respectively. The term of office of the current pool expires at the Annual Council meeting 2021.

2. Recruitment Process

- 2.1 In January 2021, the District and Borough Monitoring Officers agreed to a joint recruitment exercise to select new IPs. It was felt that this approach had secured a selection of good quality candidates in the past and would provide resilience by continuing the pool arrangement. The recruitment exercise was led by the Monitoring Officers from North West Leicestershire District Council, Oadby and Wigston Borough Council and Melton Borough Council. Following a recruitment process and interview, the following six candidates are recommended as appointment as IPs:

Mr Michael Gibson

Mr Gordon Grimes

Mr Richard Gough

Mr Michael Pearson

Mr Laurence Faulkner

Mr Mark Shaw

A brief resume of each candidate can be found at Appendix A attached to this report.

- 2.2 In addition, as a result of changes introduced by The Local Authorities (Standing Orders) (England)(Amendment) Regulations 2015 where an authority is considering the dismissal of a Statutory Officer it is required to appoint a Committee (referred to in the regulations as "the Panel") to consider the proposed dismissal which must include at least 2 "Independent Persons". The Council approved revised disciplinary procedures for its statutory officers on 12 November 2018 to take account of this new legal requirement.