

Committee: Standards and General Purposes Committee

Date: 8 November 2018

Wards: All

Subject: Appointment of Independent Person

Lead officer: Paul Evans, Assistant Director Corporate Governance

Lead member: Councillor Peter McCabe, Chair, Standards and General Purposes Committee

Contact officer: Julia Regan, Head of Democracy Services, 0208 545 3864

Recommendations:

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1. That the Standards and General Purposes Committee notes the progress of the process to appoint an independent person and agrees that an interview panel comprising one councillor from each political group should be appointed to interview and to recommend to Council the appointment of one Independent Person to serve for a period of three years.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Localism Act requires the Council to appoint at least one Independent Person. The now defunct Standards Committee previously put arrangements in place for the recruitment of two Independent Persons.
- 1.2. The term of office of one of the Independent Persons, Derek Prior, ended on 12 July 2018.
- 1.3. At the meeting of Standards and General Purposes Committee on 15 March 2018, the Committee agreed to appoint an interview panel and to recommend to Council the appointment of one Independent Person to serve for a period of three years.
- 1.4. Following the advertisement of the post, no applications were received and therefore this report provides an update on a revised approach to advertising the position. The report seeks the Committee's agreement to appoint an interview panel, comprising one Councillor from each political group to interview all candidates and recommend to Council the appointment of the successful candidate.

2 DETAILS

- 2.1. The Localism Act 2011 requires the Council to appoint at least one Independent Person. The functions of the Independent Person, set out in the Council's constitution, are:
 - The Independent Person must be consulted and views taken into account before the authority takes a decision on any allegation it has decided to investigate
 - The Independent Person may be consulted by the authority in circumstances where the authority is not taking a decision whether to investigate the allegation

- The Independent Person may be consulted by a member of the authority against whom an allegation has been made

2.2 The Council currently has one Independent Person. Pam Donovan was appointed in November 2016. Derek Prior was previously appointed to the role in July 2015 and his second term of office expired on 12 July 2018, thus creating a vacancy.

2.3 The post was advertised on the Council website and in the Local Guardian newspaper, however no applications were received. It is therefore proposed that the role will now be advertised in My Merton which has a wider distribution. Information about the role and a link to the application pack will also be sent to groups of people who may be interested in the role, including local voluntary and community organisations (via MVSC), school governors, local trade unions, magistrates and the Council's pensions service (for retired staff).

2.4 The distribution of the next edition of My Merton is from 14-20 November 2018 and it is proposed that the closing date for applications would be early/mid December 2018.

3 ALTERNATIVE OPTIONS

3.1. The Council must appoint at least one Independent Person.

3.2. The composition of the interview panel is discretionary.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. The proposals in this report have been discussed with the Chair of the Committee.

5 TIMETABLE

5.1. It is anticipated that an advert will be placed on the Council's website and distributed through My Merton and other organisations during November with a closing date of early-mid December and interviews towards the end of January 2019. The outcome will be reported to Council at its meeting on 6 February 2019.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. Independent Persons are invited to attend meetings of Standards and General Purposes Committee and are paid £100 per meeting. They are also paid £100 per each consultation meeting with the Council's Monitoring Officer.

6.2. The recommendations in this report will not lead to any increase in the overall budget for allowances.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. See body of report

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None specific to this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None specific to this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None specific to this report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- None

12 BACKGROUND PAPERS

12.1. None

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