

**Standards Committee**

**Monday 8 July, 2019 at 6.00 p.m.**

**at the Council House, Walsall**

**Present**

Councillor V. Waters (Chair)  
Councillor A. Underhill (Vice Chair)  
Councillor A. Andrew  
Councillor P. Bott  
Councillor R. Burley  
Councillor S. Craddock  
Councillor S. Samra  
Councillor C. Statham  
Councillor M. Statham  
Councillor A. Young

**Apologies**

An apology for non-attendance was submitted on behalf of Councillor A. Young.

**11/19 Substitutions**

Councillor I. Robertson substituted for Councillor A. Young

**12/19 Minutes**

The Committee considered the minutes as circulated.

**Resolved**

That the minutes of the meeting held on 9 April, 2019 copies having been previously circulated to each Member of the Committee, be approved and signed by the Chairman as a correct record.

**13/19 Declarations of interest**

There were no declarations of interest.

**14/19 Local Government (Access to Information) Act, 1985 (as amended)**

There were no items for consideration in private session.

**15/19 Appointment of Independent Persons**

The report of the Senior Democratic Services Officer was submitted.

(see annexed)

The Senior Democratic Services Officer introduced the item. He explained that the purpose of the report was to review and approve a joint recruitment process with Sandwell MBC to appoint a number of Independent Persons pursuant to the Localism Act 2011.

The Senior Democratic Services Officer confirmed that the role of Walsall's Independent Person had always been a voluntary position. However, travelling and subsistence expenses were paid at the appropriate rate. He added that the law did allow for an allowance to be paid should an authority choose to do so. He referred members to section 3.2 of the report, which highlighted a number of Authorities and the respective allowances they offered in recognition of the role of Independent Person. In response to a query, the Senior Democratic Services Officer confirmed that Sandwell Council did not currently pay an allowance to its Independent Persons. However, colleagues would take a further report to a future meeting of its Ethical Standards and Member Development Committee for determination of the matter should Walsall determine that remuneration be provided. He added that should Sandwell decide not to remunerate, Walsall would continue the appointments process to appoint its own Independent Person(s).

The Head of Legal and Democratic Services advised Members that recruiting Independent Persons was challenging. Adopting a joint approach with Sandwell Council would provide resilience across both authorities and had the potential of creating a larger selection pool. He emphasised the complexity and eligibility parameters of the role together with the special conditions and levels of responsibility assigned to the position. In doing so he referred Members to appendix 2 of the report. Further to a request from members, the Head of Legal and Democratic Services agreed to provide committee with a copy of the definition of the Independent Person's role.

The Vice Chair stated how fortunate Walsall Council had been with both the current and previous Independent Persons. She emphasised the impact the new rulings would have on the already complex role placing further demands on the Independent Person in terms of commitment and responsibility. She added that Walsall would need responsible, trustworthy people in the role and suggested that remuneration of the position should be a consideration.

The Head of Legal and Democratic Services advised that in order to appeal to appropriately skilled people the advert needed to include reference to remuneration and be clear with regard to the expectation of the role to be undertaken. He added that the proposed advert and person specification did not include qualifications for the role to ensure that it was open to a broad range of potential candidates.

A discussion ensued as to whether candidates with strong political affiliations were able to undertake the role. The Head of Legal and Democratic Services advised that the eligibility criteria was set out in appendix 2 of the report submitted. In addition to the statutory restrictions, each candidate would also undergo a thorough interview process to assess their suitability for the role.

In closing, the Senior Democratic Services Officer explained that whilst the recruitment process would be undertaken jointly, each authority would have to appoint Independent Person(s) via Council. He suggested that Committee might wish to replace the word 'two' in the recommendation 1. with the words 'a number of' as this would allow additional candidates to be appointed should they meet the criteria. The Committee confirmed this would be appropriate.

Councillor Craddock **moved** and it was duly **seconded** by Councillor Burley:-

**Resolved (unanimously)**

That:-

1. the process to undertake a joint recruitment exercise with Sandwell MBC for the appointment of a number of Independent Persons at each Authority, as detailed within the report submitted be approved;
2. the Chair and Vice Chair be authorised, in consultation with the Monitoring Officer, to finalise and agree all necessary recruitment arrangements / procedures between both Councils to ensure an effective recruitment exercise is undertaken;
3. a joint recruitment panel comprising three members from each authority be established to include the Chair, Vice Chair and Councillor Bashir as the third Standards Committee Member from Walsall Council;
4. Committee recommends that the role of the Independent Person should be remunerated and delegated to the Chair and Vice Chair for further decisions and negotiations with Sandwell;
5. the Chair be authorised, in consultation with the Monitoring Officer, to determine a remuneration package.

**16/19 Role of Standards Committee**

The Head of Legal and Democratic Services gave a verbal update on the role of the Standards Committee. He emphasised its role in maintaining Standards across Councils. He acknowledged that the work programme could be light and that often reports were submitted for noting. However, it was important for Committee to meet regularly to receive updates and keep informed of cases appertaining to Standards matters.

In additional, the Head of Legal and Democratic Services explained that he was considering innovative ways to share knowledge and relevant case histories with all elected Members. This could involve the publication of a bi-annual or a quarterly Standards Newsletter. He agreed to include a reminder to all elected Members of the importance of attending meetings and training within the Newsletter. The Head of Legal and Democratic Services confirmed that he would continue to produce an annual report.

Members stated that they were pleased that Walsall Council had continued with a Standards Committee since the Localism Act and that all Members were aware of the Standards expected of them within Walsall.

**Resolved**

That the update be noted.

**17/19 Work Programme – 2019/20**

The Work Programme for 2019/20 be agreed subject to the additional of the following item for the September meeting:-

- ‘Persistent Vexatious Complainers’.

**18/19 Date of Next Meeting**

The date of the next meeting to be 30 September, 2019.

**19/19 Termination of Meeting**

There being no further business, the meeting terminated at 7.00 p.m.

Chair: .....

Date:.....