

Standards Committee – 22nd February, 2021

Appointment of Independent Persons

1. Summary of report

This report sets out the process undertaken to appoint Independent Persons to the Standards Committee and clarifies that a report has been submitted to Council, to formally appoint the successful candidates.

2. Recommendations

That Standards Committee:-

(1) Support the appointment of the following individuals as Independent Persons on the Standards Committee for a period of 4 years;

- Sureya Ajaz
- Deborah Mardner
- Carl Magness

(2) Note that a report has been submitted to Council to formally appoint those listed in (1) above; and

(3) Notes that Independent Persons (Standards) shall be paid an allowance of £750.00 per annum.

3. Report detail

Standards

3.1 The Localism Act 2011 was enacted on 15th November 2011 and amongst its provisions was the repeal of the existing standards regime as set out in the Local Government Act 2000. This included amongst other changes, the abolition of the Standards Board for England and the existing arrangements for local investigation and determination of complaints and the requirement for independent members on Standards Committees.

3.2 The Localism Act 2011 requires the authority to have in place arrangements under which allegations of a breach of the Code can be investigated and decisions made in respect of such allegations. The arrangements require the authority to appoint at least one independent person, whose views are to be sought and taken into account by the authority before it makes its decision on an allegation that it has decided to investigate. The views of the independent person may be sought by a member if that member's behaviour is the subject of an allegation.

4. Recruitment Process

- 4.1 The independent persons, subject to appointment by the Council, have been selected through a process of public advertisement, application and interview by the Monitoring Officer and Interim Director of Interim Director of Finance, Corporate Performance Management and Corporate Landlord.

5. Induction and Training

- 5.1 All new appointments will be offered a full and robust training programme to enable them to undertake their roles effectively. This will include in house training and mentoring by the Councils Monitoring Officer, external training such as the National Independent Person Conference taking place in March, 2021 and peer support via the establishment of an Independent Persons Network.

6.0 Legal Implications

- 6.1 The Council is required under the Localism Act 2011 to appoint an independent person in order that the Monitoring Officer may consult with them before it makes its decision on an allegation that it has decided to investigate.

- 6.2 All Independent Persons are required to sign a declaration to confirm that they have:

- (a) received a copy of Walsall Metropolitan Borough Council's Code of Conduct for Members, currently in force and have been encouraged to read the same; and
- (b) that in performing any of their functions as an Independent Member of Walsall Metropolitan Borough Council's Standards Committee they will observe and uphold the Code of Conduct for Members, currently in force and any subsequent Code of Conduct; and I understand that I will not be permitted, by operation of law, to act in such capacity, unless and until I have given this written declaration to the Council's Monitoring Officer.

- 6.3 Independent Persons are also asked to complete a declaration of interest form.

- 6.4 The term of office is for a period of 4 years but may be extended by Council.

7. Financial implications

- 7.1 There will be a cost to the Council in reimbursing Independent Members reasonable out of pocket expenses such as travelling/subsistence/other related expenses. These are difficult to quantify in advance and will be dependent on the level of activity of the Standards Committee.

- 7.2 To ensure that the Council attracts high quality candidate whilst recognising the complexity of the role, Standards Committee agreed that an allowance for members of the Standards Committee should be paid. Following a review of a number of Councils, the Chair of Standards Committee agreed that an allowance of £750.00 plus reasonable expenses be paid.

8. Equality implications


- 8.1 Arrangements for dealing with complaints will ensure that complaints are investigated impartially and fairly, which is to be of benefit to both the complainant and elected member or co-opted member.

Background papers

None

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A handwritten signature in black ink that reads "Anthony Cox". The signature is written in a cursive style and is centered on the page.

Signed: Anthony Cox

Director of Governance

Date: xxxxx