

Audit and Governance Committee

Date of Meeting:	10 th March 2022
Report Title:	Appointments Update: Co-Opted Independent Member and Independent Persons (Standards)
Report of:	David Brown
Report Reference No:	To be provided by Democratic Services
Ward(s) Affected:	All

1. Purpose of Report

- 1.1. This report provides an update to the Committee on the appointment of co-opted independent members to the Audit and Governance Committee, and a recommendation from the appointments panel.
- 1.2. The report also provides the Committee with a briefing on the appointments process for the Council's Independent Persons.

2. Executive Summary

- 2.1. The Audit and Governance Committee carries out an important oversight and assurance role that requires its members to be apolitical and objective. To bolster and support this role, the Committee's membership includes two independent non-elected individuals co-opted to the Committee.
- 2.2. The Committee's remit also extends to assuring the Council that its standards and councillor conduct arrangements are effective. This particular aspect is supported by the appointment of at least one further Independent Person to work alongside the Monitoring Officer and Hearing Sub-Committees.
- 2.3. This report seeks the endorsement of the Committee to the appointment of the first co-opted member to the Committee, and the further appointment of two Independent Persons.

3. Recommendations

- 3.1.** That the Committee –
- a) Note the content of the report; and
 - b) Recommend to full Council –
 - the co-option of the first Independent Member to the Committee (identified within the report) for a period of 4 years;
 - the appointment of two Independent Persons (identified within the report) under the Localism Act 2011, for a period of 4 years.
 - c) Agree to the re-advertising of the remaining co-opted independent member vacancy for the Audit and Governance Committee, using the same process and member panel to shortlist and interview, before making a recommendation to the Committee to endorse to Council.

4. Reasons for Recommendations

- 4.1.** These recommendations support the completion of the Committee's membership which includes co-opted independent members and ensure the Committee's remit in relation to standards and councillor conduct arrangements are effective.

5. Other Options Considered

- 5.1.** Failure to appoint co-opted independent member(s) to the Committee means that the Committee's membership, as set out in the Committee's Terms of Reference is not achieved.
- 5.2.** Failure to have sufficient Independent Persons appointed to support the work of the Monitoring Officer and Hearing Sub-Committee will further challenge the effectiveness of standards and councillor conduct arrangements.

6. Background

Independent co-opted members:

- 6.1.** The terms of reference for the Audit and Governance Committee include provision for the appointment of two co-opted independent members to the Committee. These independent members are drawn from external applicants who demonstrably have no link with either council officers or councillors and have a range of skills that would support the work of the Committee.
- 6.2.** In May 2021 the Committee agreed an approach to the recruitment of co-opted independent members using a panel of Committee members to support the process and recommend successful candidates for these roles to Council for a term of 4 years. Once appointed, the co-opted members will

attend Committee and may vote on advisory matters (pursuant to a Council resolution on 22 October 2016).

- 6.3. The recruitment/advertising period needed to be extended further than had originally been anticipated for. After shortlisting, one candidate was interviewed by the member panel. This report seeks the Committee's endorsement of the full Council appointment of the recommended candidate, Mr Ron Jones to the role of co-opted member.
- 6.4. The remaining vacancy can be advertised again. It is suggested that the same approach to recruitment and selection is used.

Independent Persons:

- 6.5. The Localism Act 2011 requires the Council to have in place arrangements for investigating and deciding on allegations of councillor misconduct. These arrangements must include provision for the appointment of at least one Independent Person.
- 6.6. An Independent Person will work closely with the Monitoring Officer and Hearings Sub-Committees as necessary, providing independent advice and guidance to ensure the correct and fair operation of the Council's adopted councillor conduct processes.
- 6.7. It is considered prudent, and is usual practice, for a council to appoint more than one Independent Person. This is a reflection of the amount of work the role entails, particularly in larger councils and those with responsibility for parish and town councils. It also helps to address any conflicts that may arise in relation to a particular case requiring input.
- 6.8. As with co-opted members, Independent Persons are drawn from external applicants who demonstrably have no link with either council officers or councillors and have a range of skills that would support the work of the Committee. In order to maintain a clear distance between elected members, who may at some point be involved with the work of the Independent Person, a technical assessment of applicants is undertaken by the Monitoring Officer. The Monitoring Officer will then recommend candidates for Committee endorsement, and subsequent appointment by full Council.
- 6.9. This report seeks the Committee's endorsement of the full Council appointment of Ms Margaret Rathbone and Ms Margaret Smith, to the role of Independent Person.

7. Implications

7.1. Legal

- 7.1.1. Full Council must approve all non-elected appointments to Committee.
- 7.1.2. The Localism Act 2011 requires full Council appointment of at least one Independent Person.
- 7.2. Finance**
- 7.2.1. The roles outlined in this report do not receive remuneration, only reimbursement of out-of-pocket expenses.
- 7.3. Policy**
- 7.3.1. There are no direct policy implications arising from this report.
- 7.4. Equality**
- 7.4.1. There are no direct equality implications arising from this report.
- 7.5. Human Resources**
- 7.5.1. There are no direct human resources implications arising from this report.
- 7.6. Risk Management**
- 7.6.1. There are no direct risk management implications arising from this report.
- 7.7. Rural Communities**
- 7.7.1. There are no direct implications for rural communities.
- 7.8. Children and Young People/Cared for Children**
- 7.8.1. There are no direct implications for children and young people
- 7.9. Public Health**
- 7.9.1. There are no direct implications for public health.
- 7.10. Climate Change**
- 7.10.1. There are no direct implications for Climate Change

Access to Information	
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Appendices:	n/a
Background Papers:	Recruitment of Co-opted Members for the Audit and Governance Committee - report to Audit and Governance Committee 27 th May 2021