

Meeting of the Council – 7th October, 2019

Report of the Lead for Law and Governance (Monitoring Officer)

Appointment of Independent Person – Member Complaints and Standards Matters

Purpose

1. To confirm the appointment of an Independent Person to assist the Monitoring Officer in dealing with complaints and related standards matters under the provisions of the Localism Act 2011.

Recommendation

2. That Revd Adam Hadley be appointed as the Independent Person for the period ending with the annual meeting of the Council in May, 2023.

Background

3. Under the Localism Act 2011, the Council is required to appoint an Independent Person (or Persons) to assist the Monitoring Officer in dealing with complaints and related standards matters.
4. The role of the Independent Person is to assist the Council in promoting high standards of conduct by Councillors and Co-opted Members. The Independent Person will be consulted on decisions to investigate complaints and before a decision is made on any investigated complaints. He/she may be consulted on other standards matters.
4. On 18th May, 2017, the Council appointed the Bishop of Dudley (Rt Revd Graham Usher) as the Independent Person for a four year period ending with the annual meeting of the Council in May, 2021. The Council will be aware that Bishop Graham has been announced as the next Bishop of Norwich and his election was confirmed in June, 2019.
5. The Lead for Law and Governance has delegated powers to recommend the Council on the appointment of Independent Person(s) required under the Localism Act 2011 and any relevant Regulations. Following the advertisement of the position, it is recommended that Revd Adam Hadley be appointed for the period ending with the annual meeting of the Council in May, 2023.

Finance

6. There is no salary for this position. Any reasonable travel and subsistence expenses incurred by the Independent Person in carrying out their duties are reimbursed. Provision is made within existing budgets.

Law

7. Complaints about Councillors and Co-opted Members are dealt with under the Localism Act 2011. The Act provides that the Council must appoint an Independent Person to assist in discharging these responsibilities.
8. The Independent Person must not:
 - Have been a Member or Officer of the Council during the past five years.
 - Be related to, or a close friend of, any Member or Officer of the Council.
 - Be an Officer or Member of any other relevant authority (this includes parish, district, county and unitary councils and Police and Fire Authorities).
 - Be actively engaged in local party political activity.
9. The Council's standards arrangements are set out in Part 6 of the Constitution. The Constitution was adopted pursuant to the Local Government Act 2000.

Equality Impact

10. The standards arrangements reflect duties in the Equality Act 2010. The Members' Code of Conduct includes behaving in accordance with all legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures.
11. The process for appointing the Independent Person is undertaken with regard to policies on equality and diversity. There has been no consultation or involvement of children and young people in developing this report.

Organisational Development/Transformation

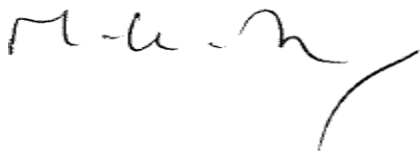
12. The Council's obligations and duties relating to standards are discharged from within the staffing resources available to the Monitoring Officer.

Commercial/Procurement

13. There is no impact on the potential to commercially trade or a positive / negative impact on our customer base.

Health, Wellbeing and Safety

14. The Members' Code of Conduct refers to championing the needs of residents and the community and putting their interests first. This includes considering the impact of specific proposals on the health, wellbeing and safety of the Borough's citizens.



**Mohammed Farooq
Lead for Law and Governance
(Monitoring Officer)**

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List of Background Documents

The Council's Constitution – Part 6 (Standards Arrangements)
Report and Minutes of the Annual Meeting of the Council – 18th May 2017