

Appointment of Independent Persons to the Standards Committee

Purpose

- 1.1 This report seeks the agreement of the Standards Committee to ask Council to approve the appointment of two independent members (referred to as independent persons hereafter) to the Standards Committee for a three-year term, following the resignation of two independent persons at the end of the last municipal year.
- 1.2 The current two independent persons have brought additional knowledge and expertise to the Standards Committee and play an integral part in the operation of the councillor complaints procedure, and it is proposed that two more be appointed for a further three years, to replace the two that resigned.

Recommendations

- 2.1 To request that Full Council approve the appointments of Alistair Davies and Graham Knight as independent persons to the Standards Committee for a three-year term, expiring on 20 May 2026, in line with the existing two independent persons.

Reasons

- 3.1 Having independent persons on committees has proven to add value and enhance the reputation of the Standards Committee from a good governance and independence perspective.
- 3.2 Independent persons to the Standards Committee are integral to the operation of the procedures for considering complaints about Councillors. Section 28(7) of the Localism Act 2011 requires Council to appoint at least one independent person for the purposes of considering complaints against councillors.

Supporting information

- 4.1 The Council was required to change its councillor complaints process in 2012, as a result of the Localism Act. The Act introduced 'independent persons' to support the Monitoring Officer, councillors accused of breaches and the committee (where applicable) at various stages of the process.

- 4.2 The Localism Act required one independent person to be appointed. In practical terms, one independent person is insufficient for the level of support that may be required. In Derby, four have previously been appointed for this purpose. To sustain the existing strong pool of non-councillor members during the earlier stages of the process, it is proposed that two independent persons be appointed for three years, to replace the two that resigned at the end of the last municipal year. This would bring their appointments in line with the two existing independent persons, with the term for all four due to end in May 2026.
- 4.2 The different roles that the independent persons play in the procedures for the assessment and review of allegations of breaches of the Councillors' Code of Conduct is outlined at Appendix 1 of the report.
- 4.3 The co-option of independent persons helps to bring additional knowledge and expertise to the committee and also reinforces its political neutrality and independence.
- 4.4 Independent persons appointments are for a fixed four-year term and must be formally approved by Full Council. While operating as a member of the Standards Committee, the independent member should follow the same code of conduct as elected members.
- 4.5 Independent persons attend Standards Committee meetings where they can provide a view on matters but do not have a voting role.
- 4.6 Following advertising, shortlisting and interviews, two candidates are recommended to the Standards Committee for referral to Full Council: Alistair Davies and Graham Knight. It is proposed that they join the two existing members, Alan Cameron and Stuart Green, to bring the total number back up to four.
- 4.7 Alistair Davies has over 25 years management experience in the private sector and is currently a senior manager who has demonstrable experience dealing with personnel at all levels. He sits on the Derby City Council School Admissions Appeal Panel as a lay member and also does voluntary work within the justice system.
- 4.8 Graham Knight is retired after working in technology for Reuters and in the defence industry and being a foster carer. He has had several independent volunteer roles monitoring the police and prison service and is currently a volunteer ranger with the Peak District National Park and Independent Person for the Derbyshire Fire and Rescue Authority.

Public/stakeholder engagement

- 5.1 None.

Other options

- 6.1 None.

Financial and value for money issues

- 7.1 There is a budgeted allowance of £1100 for each Independent Member under the Councillors' Allowances and Expenses Scheme.

Legal implications

- 8.1 The course of action recommended in the report is compliant with the Localism Act 2011, which changed the way in which Standards Committees were constituted in 2012. In accordance with local government law, the co-opted members do not have voting rights.

Climate implications

- 9.1 None directly arising from this report.

Socio-Econmic implications

- 10.1 None directly arising from this report.

Other significant implications

- 11.1 None directly arising from this report.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal Finance Service Director Report sponsor Other(s)	Alex Hough – Head of Democracy	31/07/2023

Background papers: List of appendices:	Appendix 1 – Procedures for the assessment and review of allegations of breaches of the Councillors' Code of Conduct
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