

Report sponsor: Director of Legal, Procurement
and Democratic Services
Report author: Democratic Services Officer

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 four independent members (referred to as independent persons hereafter) to the Standards Committee for a four-year term.
- 1.2 The current four 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 these members are appointed for a further four years.

Recommendations

- 2.1 To request that Full Council approve the appointments of Alan Cameron, Stuart Green, Peter Purnell and Philip Sunderland as independent persons to the Standards Committee for a four-year term, expiring on 20 May 2026.

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.

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 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 the existing independent persons be appointed for a further four years.

- 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.

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 £500 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.

Other significant implications

- 10.1 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 | Emily Feenan – Director of Legal, Procurement and Democratic Services | 22/07/2022 |
| Other(s) | Alex Hough – Head of Democracy | 21/07/2022 |

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| 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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