



REPORT of MONITORING OFFICER

**to
JOINT STANDARDS COMMITTEE (SPECIAL MEETING)
18 DECEMBER 2015**

APPOINTMENT OF INDEPENDENT PERSON - REMUNERATION

1. PURPOSE OF THE REPORT

- 1.1 To review arrangements for the remuneration of the Independent Person(s).

2. AREA FOR DECISION / ACTION

- 2.1 The Localism Act 2011 required the Council to adopt a new Code of Conduct consistent with a number of principles set out in the Act, and arrangements for dealing with any alleged breach of the Code. In accordance with arrangements adopted by the Council, Mr Norman Hodson was appointed as the Independent Person, and Messrs Jonathan Swan and Ronald Anthony appointed as deputies. The Council subsequently decided to make provision for the term of office of the Independent Person(s) to be extended through to February 2016 and to authorise the Joint Standards Committee to make arrangements for future appointments. The final appointment will require Council approval.
- 2.2 The Monitoring Officer has been authorised to proceed with the necessary arrangements for the recruitment of a new Independent Person and two reserve Independent Persons to take office on 8 February 2016 for a period of two years, with possible extension by the Monitoring Officer for a further period of two years.
- 2.3 The Independent Person must be consulted by the authority before it makes a finding as to whether a Member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that Member. They may be consulted by the authority in respect of a standards complaint at any other stage. Independent Persons may be invited to attend meetings of the Standards Committee, but are unlikely to be co-opted onto the Committee. Instead their role is one of consultation in respect of any investigation of an alleged breach of the Code before the Council takes a decision in relation to the allegation. The input of the current Independent Person has been valued.
- 2.4 The remuneration of the Independent Persons is now a matter for the Joint Standards Committee, and it would seem timely to review this given the recruitment process shortly to be undertaken. When this was last considered in August 2013 the Committee recommended £500 payable in half yearly instalments to just the Independent Person. The Council in September 2013 (Minute 379) however decided as follows:

- (i) that the Council Members' Broadband Allowance is payable to the Independent Person and that mileage for visits to and from the Council Offices is paid at the Council's agreed standard rate and on the basis of claims received;
- (ii) that any reserve Independent Person be also paid mileage on the basis of claims received;

The Council also delegated the determination of future remuneration of the Independent Persons to this Committee.

- 2.5 It is evident from information obtained from other local authorities and from the level of engagement of the Independent Person, that the present remuneration is unrealistic. While there may not be an even pattern of engagement, which will depend on the number and type of conduct complaints received, in recent months there have been five actual conduct complaints, plus numerous parish council matters and related matters, on which the Independent Person has been engaged which has included review meetings at these Offices.
- 2.6 It is considered that a flat rate allowance in the region of £500 per annum (pa) would be both appropriate and realistic. This will cover travelling, subsistence, stationery and Information and Communications Technology (ICT) expenses. It ought to be indicated to candidates that in exceptional cases, where an Independent Person was requested by the Monitoring Officer, and agreed, to devote significant additional time to a matter, an additional payment may be agreed. It is further proposed that any reserve Independent Persons be paid mileage as agreed previously agreed, but the situation would have to be reviewed if for some reason the Independent Person was unable to act and one of the deputies had to be engaged.

3. IMPACT ON CORPORATE GOALS

- 3.1 This links with the corporate goal of 'Delivering good quality, cost effective and valued services in a transparent way' and the desire for high ethical standards.

4. IMPLICATIONS

- (i) **Impact on Customers** – Meets the two core values of 'Transparent and Accountable' and 'Customer Focus' which supports the Council's corporate goals.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None of a corporate nature, although there is a risk of not being able to attract suitable and willing candidates unless a realistic remuneration offer is made.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.

- (vi) **Impact on the Environment** – None.

5. RECOMMENDATIONS

- (i) that the payment to the Independent Person of an allowance inclusive of expenses in the sum of £500 per annum to be paid in half yearly instalments, and that reserve Independent Persons be reimbursed mileage on the basis of claims received; and
- (ii) that the Committee determines the arrangements for interviewing and appointment of Independent Persons arising from the current recruitment process..

Background Papers: None.

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