

Arun District Council

REPORT TO:	Standards Committee – 11 July 224
SUBJECT:	Recruitment of Independent Persons
LEAD OFFICER:	Daniel Bainbridge, Group Head of Law & Governance
LEAD MEMBER:	Councillor David Huntley
WARDS:	All
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: The Standards Committee is responsible for maintaining high governance standards within the Council pursuant to its duties under the Localism Act 2011. The Committee has the role of ensuring that the ethical standards regime forming part of the governance framework of the Council is robust, thereby engendering public confidence that the Council can deliver upon its priorities.	
DIRECTORATE POLICY CONTEXT: The Law & Governance and Monitoring Officer functions sit within the Growth directorate.	
FINANCIAL SUMMARY: There are no financial implications associated with this report.	

1. PURPOSE OF REPORT

- 1.1 To update Members on the Council's recruitment process in respect of Independent Persons and to recommend an extension to the terms of office of the Council's existing Independent Persons.

2. RECOMMENDATIONS

It is recommended that the Committee notes the position regarding the Independent Persons recruitment process and recommends to Full Council that the terms of office of the Council's current Independent Persons be extended to 6 November 2024.

3. EXECUTIVE SUMMARY

- 3.1 The Standards Committee's functions include considering membership and recruitment of Independent Persons and making recommendations for appointments to Full Council.
- 3.2 Independent Persons (IPs) are appointed for a fixed period of time, and all three of the Council's IPs' terms of appointment are due to expire in July 2024 – Sandra Prail, John Thompson and John Cooke. A recruitment process was agreed by the Committee at its meeting on 18 January 2024 with the aim of appointing new Independent Persons at the July 2024 Full Council meeting. The Monitoring Officer has not been able to progress the recruitment process as promptly as envisaged and an extension of term of office is therefore recommended.

4. DETAIL

- 4.1 At its meeting on 18 January 2024 the Committee received a report regarding the process and timings for the recruitment of the Council's Independent Persons, whose current terms of appointment are due to expire in July 2024.
- 4.2 At the meeting the Committee resolved that the recruitment pack for Independent Persons be agreed. This followed a decision at its meeting on 31 October 2023 that a process commence for the recruitment of three new Independent Persons to be appointed from July 2024.
- 4.3 Since the January 2024 meeting an advert has been prepared and the recruitment pack finalised in line with the Committee's resolution and comments at that meeting, but it has not been possible to progress the recruitment process as promptly as envisaged and therefore the Committee is asked to consider recommending to Full Council (its meeting on 17 July 2024) that the three existing Independent Persons' terms of office be extended to 6 November 2024 (the date of the next Full Council) in order for the recruitment process to be completed.

5. CONSULTATION

- 5.1 Internal consultation has taken place with the Corporate Management Team.

6. OPTIONS / ALTERNATIVES CONSIDERED

- 6.1 Having no Independent Persons is not an option.

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

- 7.1 There are no direct financial implications. Any expenditure in relation to the recruitment process is met from existing budget.

8. RISK ASSESSMENT CONSIDERATIONS

- 8.1 Appointing Independent Persons supports the Council's governance arrangements and aids the mitigation of risk through the maintenance of strong standards of conduct within the authority.

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

- 9.1 Councils are statutorily obliged to appoint at least one Independent Person (IP). IPs' views are to be sought and taken into account by the Monitoring Officer and/or Standards Committee when a decision is taken on an allegation under the Members' Code of Conduct. Their views may also be sought by the

Monitoring Officer and/or Standards Committee at any other stage in the procedure when a complaint of a breach of the Code is considered, or by the Councillor facing the allegation. The Monitoring Officer routinely consults with the IP at the assessment stage of any complaint.

- 9.2 The Council's Constitution requires the Council to have a minimum of three Independent Persons appointed at any one time. The Standards Committee is responsible for considering membership and recruitment of Independent Persons to the Committee and making recommendations for appointments to Full Council.
- 9.3 IPs cannot be employees of the Council or Councillors and are invited to attend meetings of the Standards Committee in an advisory, non-voting capacity.
- 9.4 Section 27 Localism Act 2011 provides that an authority must promote and maintain high standards of conduct by Members and Co-opted Members of the Authority.
- 9.5 Section 28 Localism Act 2011 requires that the Council appoints an Independent Person and the steps that must be undertaken in the process.
- 9.6 Section 28(8)(c)(iii) Localism Act 2011 provides that an Independent Person's appointment must be approved by a majority of members at Full Council.

10. HUMAN RESOURCES IMPACT

- 10.1 There are no human resources implications. This work will be carried out by officers under their day-to-day duties.

11. HEALTH & SAFETY IMPACT

- 11.1 There are no such implications associated with this report.

12. PROPERTY & ESTATES IMPACT

- 12.1 There are no such implications associated with this report.

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

- 13.1 There are no such implications associated with this report.

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

- 14.1 There are no such implications associated with this report.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1 There are no such implications associated with this report.

16. HUMAN RIGHTS IMPACT

16.1 There are no such implications associated with this report.

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

17.1 There are no such implications associated with this report.

CONTACT OFFICER:

Name: Daniel Bainbridge

Job Title: Group Head of Law & Governance

Contact Number: 01903 737607

BACKGROUND DOCUMENTS: None