

ARUN DISTRICT COUNCIL

REPORT TO THE STANDARDS COMMITTEE ON 16 DECEMBER 2021

SUBJECT: Review of Independent Persons to Standards Committee

REPORT AUTHOR: Sameera Khan - Monitoring Officer
DATE: November 2021
EXTN: 37610
AREA: Corporate Support – Law & Governance

EXECUTIVE SUMMARY:

The Localism Act 2011 requires the Council to appoint at least one Independent Person to its Standards Committee. This Committee currently have a 'pool' of three Independent Persons. This report is in response to an earlier request by Committee to review the number of Independent Persons, following a recruitment drive in 2020.

RECOMMENDATIONS:

Standards Committee is asked to consider:

- 1) Whether the current pool of 3 x Independent Persons is sufficient to give support to Committee on standards matters
- 2) If Committee wish to increase the number of Independent Persons, to authorise the Monitoring Officer to commence a recruitment drive

1. BACKGROUND:

- 1.1 Section 28 of the Localism Act 2011 requires the Council to appoint at least one Independent Person to its Standards Committee. Currently, the Committee have a 'pool' of three Independent Persons on which to draw support with regard to Code of Conduct allegations against Members and other standards matters.
- 1.2 Standards Committee – at their meeting on 18 February 2021 – considered the option to recruit a fourth Independent Person (IP), following the resignation of a long-standing IP. Committee resolved to defer the decision for twelve months to allow time to assess the workload for the IPs, with an update report being brought back to Committee (Minute 486 refers).

- 1.3 This report is therefore being brought to Committee for their consideration as to whether they feel that the current number of IPs is sufficient to provide support to Committee on Code of Conduct complaints and standards matters.
- 1.4 There has been an increase in the number Code of Conduct complaints and approaches over the past 12-18 months, which has impacted on the number of times that an IP view/opinion has been sought. This level of contact is considered to be unusual in that we have had to deal with a pandemic, two changes in administration, and a change in governance. These have understandably caused some confusion and frustration, resulting in multiple approaches regarding Member behaviour. Things have settled recently and, whilst approaches are still being made, very few have resulted in formal complaints being submitted. It is therefore believed that the demands on the pool of IPs will also settle down.
- 1.5 Also, over the past 12-18 months, Committee has had a busy work programme, having considered reviews of Social Media Guidance for Councillors, Members' Code of Conduct, Local Assessment Procedure and associated Hearings Procedure, as well as their 'normal' business. The input from IPs has been welcome and gave alternative perspectives on these matters.
- 1.6 With regard to financial implications, Committee are respectfully reminded that the Members Allowances Scheme requires that the overall allowance be divided equally between the number of Independent Persons, therefore there will be no additional financial demand on the Council, should Committee decide that they wish to increase the number of IPs. However, there would be a financial implication for the IPs if the number were to be increased as their 'share' of the allowance would reduce accordingly.
- 1.7 If Committee decide that they wish to increase the number of IPs, authority should be given to the Monitoring Officer to commence a recruitment drive.

2. PROPOSALS

Standards Committee is asked to consider:

- 1) Whether the current pool of 3 x Independent Persons is sufficient to give support to Committee on standards matters
- 2) If Committee wish to increase the number of Independent Persons, to authorise the Monitoring Officer to commence a recruitment drive

3. OPTIONS:

- 1) To increase the number of Independent Persons to the Standards Committee – and by how many
- 2) To not increase the number and retain the current pool of three Independent Persons
- 3) To defer the decision for a further period of time

4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓
6. IMPLICATIONS:		
<p>No financial implications to the Council as the current Special Responsibility Allowance paid to Independent Persons is a total amount, divisible by the number of Independent Persons. However, it should be noted that an increase in the number of Independent Persons would reduce the allowance paid to each individual.</p>		

7. REASON FOR THE DECISION:

For Committee to feel comfortable that the level of support from IPs is sufficient for them to deal with Standards matters.

8. BACKGROUND PAPERS:

[Report to Standards Committee 18.02.21](#)