

Bolsover District Council**Council****13th September 2017****Appointment of Independent Person****Report of the Deputy Monitoring Officer****Purpose of the Report**

- To approve the appointment of an Independent Person for a term of four years.

1 Report Details

- 1.1 At its meeting on 20 June 2012 the Council received a report setting out the changes made to the Standards Regime under the Localism Act 2011. Council agreed to approve the new arrangements, which included the statutory requirement to appoint an Independent Person.
- 1.2 Under the legislation, the Council is required to have at least one Independent Person (IP). However the Council decided to have two Independent Persons. Each member who is the subject of a complaint has the right to discuss the matter with one of the IPs, and the Monitoring Officer has an obligation to consult one of the IPs on each case. Clearly it is better to have the consultations with two different IPs. In addition it ensures as best as is possible that the Council is not left without an IP if one is unable to fulfil their duties.
- 1.3 As members may be aware, one of the Council's two Independent Persons sadly died last year and a vacancy therefore arose.
- 1.4 On 3 October 2016, Standards Committee approved the recruitment process and adverts were subsequently placed in "In Touch", on the Council's website and on Parish Council notice boards.
- 1.5 On 3 August 2017 the Joint Chief Executive and Deputy Monitoring Officer interviewed shortlisted applicants for the role of Independent Person and selected Mr Ian Kirk as the successful candidate.

3 Consultation and Equality Impact

- 3.1 Equality issues were taken into account of during the recruitment process.

4 Alternative Options and Reasons for Rejection

- 4.1 To continue with just one IP. For the reasons given in the report this is not considered satisfactory.

5 Implications

5.1 Finance and Risk Implications

5.1.1 An Independent Person receives an allowance of £800 per annum. There are no additional costs above those experienced now.

5.2 Legal Implications including Data Protection

5.2.1 Section 28(7) of the Localism Act 2011 requires the appointment of Independent Persons for the purpose described above.

5.3 Human Resources Implications

5.3.1 None

6 Recommendations

6.1 That the Council appoints Mr Ian Kirk as Independent Person to the Standards Committee for a four year term.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Affected	None
Links to Corporate Plan priorities or Policy Framework	N/A

8 Document Information

Appendix No	Title
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
Report Author	Contact Number
Deputy Monitoring Officer	2477/7141