

Bolsover District Council

Standards Committee

3rd October 2016

Appointment of Independent Person

Report of the Monitoring Officer

This report is public

Purpose of the Report

- To outline proposals for the replacement of one of the Independent Persons.

1 Report Details

- 1.1 As members may be aware, one of the Council's 2 Independent Persons has recently, sadly died.
- 1.2 Under the legislation, the Council is required to have at least one Independent Person (IP). However the Council decided when originally setting up the system 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 resigns for example. Accordingly it is proposed that a new IP is recruited.
- 1.3 The previous recruitment exercise was successful and resulted in a number of applications and interviews. The role was advertised on the website, on Parish Council notice boards and in "In Touch". In Touch is due to be distributed the week commencing the 21st November. It is suggested that we do this again.
- 1.4 The applicants were interviewed by the then Deputy Leader and the Monitoring Officer and the Deputy Monitoring Officer. The successful candidates were then proposed to the Council for appointment. It is proposed to carry out the same process for this recruitment.
- 1.5 The remuneration received by the IP is currently £800 per annum. I don't propose that there is any change.
- 1.6 In terms of the length of appointment for the Independent Person it is suggested that the appointment is for 4 years from the date of appointment.
- 1.7 The draft advert is attached for consideration. Members are requested to comment.

1.8 In addition the recruitment pack will be developed with background information about the process and the Council and a person specification.

2 Conclusions and Reasons for Recommendation

2.1 It is considered necessary to recruit a second Independent Person to ensure flexibility and resilience

2.2 It is recommended that the process followed is as the last time an IP was recruited.

2.3 The appointment of the successful candidate will be recommended to Council

3 Consultation and Equality Impact

3.1 No consultation is required at this stage. Equality issues will be taken into account as a matter of course in the recruitment.

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 There are no additional costs above those experienced now. The risks is being unable to recruit a suitable IP.

5.2 Legal Implications including Data Protection

5.2.1 Covered in the report. There are no Data Protection issues.

5.3 Human Resources Implications

5.3.1 There are no HR implications.

6 Recommendations

6.1 That a recruitment process for the appointment of a second IP is commenced in accordance with the process outlined in this report.

6.2 That members confirm their agreement to advertising in "In Touch", on the Council's website and on Parish Council notice boards.

6.3 That Members comment on the advert.

6.4 That Council is asked to appoint the successful candidate.

- 6.5 That the remuneration for the role remains at £800.
- 6.6 That authority be delegated to the Council's Monitoring Officer to amend the recruitment process and associated documentation where necessary.

7 Decision Information

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| Is the decision a Key Decision? (A Key Decision is an executive decision which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards) | No |
| Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In) | N/A |
| District Wards Affected | None directly |
| Links to Corporate Plan priorities or Policy Framework | All |

8 Document Information

| Appendix No | Title |
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| 1 | Independent Persons Job Advert |
| 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) | |
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