

Bolsover District Council

Meeting of the Standards Committee on Monday 11th September 2023

Recruitment of Independent Persons

Report of the Assistant Director of Governance & Monitoring Officer

Classification	This report is public
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PURPOSE/SUMMARY OF REPORT

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

REPORT DETAILS

1. Background

- 1.1 Under the Localism Act 2011 the Council is required to appoint at least one Independent Persons (IP) to advise the Council's Monitoring Officer on Member code of conduct issues. 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.
- 1.2 One of the IPs has submitted his resignation and it is therefore necessary to recruit a new IP.

2. Details of Proposal or Information

- 2.1 The proposal is to try to recruit two additional IPs. Many Councils have more than two IPs to cover situations where there may be conflicts and where there are

problems with availability. Having at least three IPs will ensure that there are at least two IPs in the event that one of them ceases to be an IP.

2.2 The remuneration received by the IP is currently £800 per annum. There are no proposals to change this.

3. Reasons for Recommendation

3.1 It is considered necessary to recruit two further IPs to ensure flexibility.

3.2 The appointment of the successful candidate will be recommended to Council.

4 Alternative Options and Reasons for Rejection

4.1 Not to recruit additional IPs. For the reasons set out in this report this is not considered to be an option.

RECOMMENDATION(S) that;

The Council undertakes a recruitment process for the appointment of two additional Independent Persons.

IMPLICATIONS:

Finance and Risk: Yes No

Details: Having three Independent Persons would cost an extra £800.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details: Section 28 of the Localism Act 2011 require the Council to appoint at least one independent person.

On behalf of the Solicitor to the Council

Environment: Yes No

Details: There are no environment implications arising from the recommendations in this report.

Staffing: Yes No

Details: None arising from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

<p>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:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	No

<p>District Wards Significantly Affected</p>	None
<p>Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/></p>	<p>Details: Councillor Duncan McGregor, Portfolio Holder for Corporate Governance</p> <p>Standards Committee</p>

<p>Links to Council Ambition: Customers, Economy and Environment.</p>
<p>Demonstrating good governance</p>

DOCUMENT INFORMATION	
Appendix No	Title
1	

<p>Background Papers</p>
<p><i>(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 Executive you must provide copies of the background papers).</i></p>
<p>None</p>