



**Meeting:** Adjourned Annual Council

**Date:** 15 May 2013

**Wards Affected:** All

**Report Title:** Appointment of Independent Persons to assist the Council Standards Committee

**Executive Lead Contact Details:** Councillor Pritchard, Executive Lead for Business Planning and Governance, telephone: 07791598091; email: [ken.pritchard@torbay.gov.uk](mailto:ken.pritchard@torbay.gov.uk)

**Supporting Officer Contact Details:** Anthony Butler, Monitoring Officer, telephone 01803 207155; email: [anthony.butler@torbay.gov.uk](mailto:anthony.butler@torbay.gov.uk)

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## **1. Purpose and Introduction**

- 1.1 To appoint two new independent persons to assist in the consideration of complaints against members under the Council's Code of Conduct for Members and to help promote and maintain the high standards of conduct by members.

## **2. Proposed Decision**

- 2.1 **That the Council appoints Peter Styler and Christine Payne as its independent persons for a period commencing on 15 May 2013 and expiring on 17 May 2017**
- 2.2 **That the Council notes the valuable contribution by the outgoing Independent Persons appointed under the previous standards regime towards the promotion of high standards throughout the authority and thanks them for this.**

## **2.2 Reason for Decision**

The Localism Act 2011 abolished the Standards Board regime and replaced it with a requirement that local authorities promote and maintain the high standards of conduct by members. Part of the new arrangements require each local authority to appoint at least one independent person whose views are to be sought and taken into account before a decision is made by the Standards Committee on an allegation that has been investigated. The wording of the Localism Act 2011 and its enabling legislation meant that local authorities could not appoint their existing independent persons (appointed under the old regime) beyond a one year transitional period, which is due to end shortly. The appointments must be made by full council.

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## **Supporting Information**

### **4. Position**

- 4.1 The independent persons appointed under the old regime continue to provide support to members and officers in respect of complaints received under the new Code of Conduct for Members. The continuation of their appointments was confirmed by full council on 12 July 2012, pending the recruitment process now undertaken for the new independent persons. The Localism Act 2011 does not allow independent persons appointed under the old regime to continue their term beyond 1 July 2013 and it is therefore necessary for the Council to appoint new independent persons to assist the Standards Committee in carrying on its functions. The appointment of independent persons to assist the consideration of complaints against members is a requirement of Chapter 7 of the Localism Act 2011.
- 4.2 The Standards Committee met on 30 January 2013 and agreed the terms of appointment for the new independent persons; the job specification; and the application and interview process to be undertaken. Applications for the role were invited and an interview panel consisting of Cllr Amil, Cllr Doggett, Cllr Morey, the Monitoring Officer and the Executive Head Commercial Services interviewed the four candidates with the strongest applications.
- 4.3 The interview panel unanimously agreed that Peter Styler and Christine Payne were the two candidates most suitable for the role and this is the recommendation that has been brought to full council.

### **5. Possibilities and Options**

If members are not satisfied with the candidates selected by the interview panel the post could be readvertised; however due to the amount of time the process of advertising and interviewing candidates it will not be possible to make appointments in time for the statutory deadline of 1 July 2013 by which the authority needs to have appointed its new independent persons. Failure to make an appointment by 1 July 2013 will mean that the authority is in breach of the requirements of Chapter 7 of the Localism Act 2011.

### **6. Equal Opportunities**

- 6.1 Not applicable

### **7. Public Services (Social Value) Act 2012**

- 7.1 Not applicable

## **8. Consultation**

8.1 Not applicable

## **9. Risks**

9.1 The only risk identified is that the appointments are not made and the Council will be in breach of Chapter 7 of the Localism Act 2011 which could bring decisions that any member has breached the Council's Code of Conduct into question.

## **Appendices**

None

## **Additional Information**

The report considered by the Standards Committee on the terms of reference and interview process together with the minutes of that meeting (which took place on 30 January 2013) are available on the Council's website. [Agenda for Standards Committee on Wednesday, 30 January 2013, 2.00 pm](#)

Peter Styler and Christine Payne's applications can be provided to members on request.