



Council – 22 April 2013

Appointment of Reserve Independent Person

Purpose of report

To enable the Council to appoint a Reserve Independent Person to deputise for the Independent Person appointed in October when the latter is unavailable or has a conflict of interest in a specific standards matter.

1.0 Background

1.1 The Localism Act 2011 requires that the Council should appoint at least one Independent Person, who must be consulted by the authority before it makes a finding as to whether a member has failed to comply with the Code of Conduct. The Independent Person may be consulted by the authority in respect of a standards complaint at any other stage or by a member or co-opted member of the District Council or of a Parish Council against whom a complaint has been made.

1.2 In July 2012 it was agreed that this Council would appoint one person to carry out the duties of an Independent Person in relation to its adopted procedure for dealing with Complaints against Councillors. It was also agreed to appoint a Reserve Independent Person to act if the Independent Person is unavailable due to illness or holiday or other circumstance (including conflict of interest in the case of appeals).

1.3 In accordance with Part 9 of the Constitution, the position of Independent Person was advertised in the Nene Valley News and interviews were undertaken by members of the Joint Standards Committee. As a result Mrs V Barnard was duly appointed by this council in October 2012 to serve as Independent Person. However, following the decision not to recommend an appointment to position of Reserve Independent Person from this round of interviews it was decided to hold a further recruitment process.

1.4 A further advert was placed in Nene Valley news and also in the local Magistrates' newsletter. This resulted in four applications, and interviews with all four candidates were held in February 2013 by members of the JSCC.

2.0 Recommended Candidate

2.1 Following these interviews the interview panel agreed that Mr A Sortwell should be recommended to Council for appointment as Reserve Independent Person. Mr Sortwell worked as Director for Children and Young People at the County Council some years ago and currently works as an educational consultant in the UK and abroad. He lives in the District.

3.0 Equality and Diversity Implications

3.1 There are no known equalities issues arising from this report.

4.0 Legal Implications

4.1 Appointment of the Reserve Independent Person completes the changes necessary to bring the council's arrangements for standards into alignment with the proposals for standards under the Localism Act 2011 and related regulations.

5.0 Risk Management

5.1 The proposal in this report reduces the risk of non-compliance with legislation, particularly the Localism Act 2011, and reduces the risk of a legal challenge.

6.0 Financial Implications

6.1 There are no known additional financial implications arising from implementation of these changes.

7.0 Corporate Outcomes

7.1 The duty to promote high standards of ethical governance links to the following Corporate Outcomes:

- Employees and members with the Right Knowledge, Skills and Behaviours
- Effective Management – legal compliance

8.0 Recommendations

8.1 Council is asked to:

- a) Endorse the appointment of Mr A Sortwell as Reserve Independent Person.
[Reason: to enable the council to comply with the provisions of the Localism Act 2011.]

Legal	Power: 1972 Local Government Act as amended by subsequent legislation, Localism Act 2011 and related regulations				
	Other considerations: Council Constitution				
Background Papers:					
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Date: 5/4/13					
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