

Meeting: COUNCIL

Agenda Item:

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Date: 4 OCTOBER 2016

CHAPTER 7 LOCALISM ACT 2011 – APPOINTMENT OF AN INDEPENDENT PERSON

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1. PURPOSE

To appoint an ‘Independent Person’ in accordance with Chapter 7 of the Localism Act 2011.

2. RECOMMENDATIONS

- 2.1 That Dr. Robert Cawley be appointed as the Council’s Independent Person for a term of 4 years.

3. BACKGROUND

- 3.1 Under section 28 of the Localism Act 2011 local authorities are required to appoint at least one Independent Person as part of their arrangements for dealing with complaints that a Member has breached the Code of Conduct.
- 3.2 The Act provides that when the Council is dealing with a complaint against a Member which it has decided to investigate then it must consult with the Independent Person before making a final decision on the allegation.
- 3.3 The Act further provides that the Council may, if it wishes, also consult with the Independent Person about a complaint at any other time in the process and any Member who receives a complaint against them may consult with the Independent Person at any time regarding the complaint against them.
- 3.4 The Council is also required to appoint its Independent Person to an ‘Independent Panel’. The Independent Panel is a statutory body appointed to make recommendations to Council before it decides to dismiss the Head of Paid Service (Chief Executive), Chief Finance Officer (Assistant Director, Resources) or the Monitoring Officer (Borough Solicitor).
- 3.5 The reappointment of the previous Independent Person, Allen Holland, was precluded by statute as he had in the previous five years served as an Independent Chairman of the Council’s Standards Committee. (A temporary statutory

concession had allowed his appointment on the introduction of the new regime in 2011.)

4. REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 In July 2016 an advertisement was placed in the Comet and on the Council's website for this role. Two applications were received and both candidates were interviewed by a panel comprising the Chief Executive, Borough Solicitor and the Head of Service (Chief Executive's Unit).
- 4.2 The unanimous conclusion of the panel was to recommend that Dr. Cawley be offered the position of Independent Person.
- 4.3 Dr. Cawley is well qualified for this role. Until August this year he was the CEO and Principal of the Seckford Foundation Free Schools Trust and is currently a member of the Teacher Regulation panel team at the National College for Teaching and Leadership. He is now pursuing a portfolio career in education consultancy, non-executive directorships and regulation work and has already been appointed as an Independent Person by the London Borough of Brent.

5. IMPLICATIONS

5.1. Financial Implications

The Members' Allowances Scheme includes provision of an allowance of £1,261 to the Independent Person. This is paid on a monthly basis pro-rata.

5.2. Legal Implications

This appointment is in accord with the provisions of the Localism Act 2011.

APPENDICES

None