

Meeting: COUNCIL

Date: 15 JULY 2020

APPOINTMENT OF AN INDEPENDENT PERSON (LOCALISM ACT 2011)

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1. PURPOSE

To appoint an ‘Independent Person’ in accordance with s28 (7) Localism Act 2011 .

2. RECOMMENDATIONS

- 2.1 That Dr. Robert Cawley be re-appointed as the Council’s Independent Person for a further term of 4 years with effect from 4 October 2020.

3. BACKGROUND

- 3.1 Under section 28 of the Localism Act 2011 (“the Act”) 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), the Chief Finance Officer or the Monitoring Officer.

REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 At its meeting on 4 October 2016 the Council appointed Dr. R Cawley as its Independent Person following an advertisement being placed in the Comet and on

the Council's website and a subsequent interview that included the then Chief Executive and Monitoring Officer.

- 4.2 Dr. Cawley is well qualified for this role After 24 years in education, the latter 12 years of which were in senior and executive leadership of schools and trusts, he has, for the last four years, pursued a portfolio career in education consultancy, regulation and standards, criminal justice, charities and universities. His work now is mainly as a member of the Parole Board and he sits on fitness to practise panels of the Nursing & Midwifery Council, Social Work England, and the British Association for Counselling and Psychotherapy, and until recently the Teaching Regulation Agency. He served as Independent Member of the Audit and Standards Advisory Committee at Brent Council for four years until May this year.
- 4.3 Given the suitability of Dr. Cawley for this role it is considered appropriate that he be re-appointed for a further 4 year term in accordance with the provisions of the Localism Act.

4. IMPLICATIONS

4.1. Financial Implications

The Members' Allowances Scheme includes provision of an allowance of £1,325 to the Independent Person. This is paid on a monthly basis pro-rata.

4.2. Legal Implications

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

APPENDICES

None

BACKGROUND DOCUMENTS

Localism Act 2011 - <http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>