

Meeting COUNCIL
Portfolio Area ALL
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APPOINTMENT OF AN INDEPENDENT PERSON FOR STANDARDS (LOCALISM ACT 2011)

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1. PURPOSE

- 1.1 To extend the term appointment of an 'Independent Person for Standards' in accordance with the Localism Act 2011 (Chapter 7 – Standards).

2. RECOMMENDATIONS

- 2.1 That Dr Robert Cawley's term of office as the Council's Independent Person is extended for a further term of 4 years with effect from 5 October 2024.
- 2.2 That the Monitoring Officer is authorised to seek to recruit a second Independent Person to act as a deputy to Dr Cawley, subject to confirmation of the appointment by full Council.
- 2.3 That the deputy Independent Person is paid an annual allowance of £749, which is 50% of the allowance paid to the principal Independent Person.

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 (Strategic Director) or the Monitoring Officer

4. REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 The Council first appointed Dr. R Cawley to this position in October 2016 following an advertisement being placed in the Comet and the Council's website and a subsequent interview that included the then Chief Executive and the Council's Monitoring Officer. On 15 July 2020 the Council extended Dr Cawley's appointment for a further four-year period from 4 October 2020.
- 4.2 Dr Cawley is well qualified for this role. After 24 years in education, the latter 12 years of which were in senior school and trust leadership positions, Dr Cawley now holds a portfolio of roles. He is a member of the Parole Board for England and Wales, a schools adjudicator, and sits on professional regulation panels in nursing and midwifery, social work, counselling and psychotherapy. As well as those roles, he works for two universities as an education consultant, including the TES Institute and as an education associate at the General Medical Council. He has held non-executive director roles, been an independent member of a London borough council's audit and standards committee and sat on panels undertaking the role of professional regulation in teaching.
- 4.3 The Monitoring Officer has found the support given by Dr Cawley to be invaluable. Given Dr Cawley's suitability and experience. Accordingly the Monitoring Officer recommends that his term of appointment is extended for a further four years.
- 4.4 This report also recommends the appointment of a deputy Independent Person. The appointment of a deputy would provide resilience in circumstances where Dr Cawley is indisposed, absent or conflicted on any issue. It would also be prudent in terms of succession planning. The recommendation is for an allowance to be paid in respect of the role at 50% of the allowance paid to the principal Independent Person, i.e. £749. Council is asked to authorise officers to undertake a recruitment process for a deputy

Monitoring Officer. Appointment would be subject to confirmation by full Council.

5. IMPLICATIONS

5.1 Financial Implications

The Members' Allowances Scheme includes provision of an allowance of £1,489 to the Independent Person. This is paid monthly pro-rata.

The report recommends the appointment of a deputy Independent Person with an allowance of £749 per annum.

5.2 Legal Implications

This appointment is in accord 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>