



# Borough of Telford and Wrekin

## Standards Committee Report

Wednesday 28<sup>th</sup> September 2022

### Appointment of Independent Persons

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<b>Cabinet Member:</b>	<b>Cllr Rae Evans - Cabinet Member: Finance, Governance and Customer Services</b>
<b>Lead Director:</b>	<b>Anthea Lowe - Director: Policy &amp; Governance</b>
<b>Service Area:</b>	<b>Policy &amp; Governance</b>
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<b>Wards Affected:</b>	<b>All Wards</b>
<b>Key Decision:</b>	<b>Not key decision</b>
<b>Forward Plan:</b>	<b>N/A</b>
<b>Report considered by:</b>	<b>N/A</b>

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#### 1.0 Recommendations for decision/noting:

It is recommended that the Standards Committee notes the update on the recruitment process so far for new Independent Persons and recommends to Full Council that the appointments of Thomas Senior and Julia Lynch as Independent Persons for Telford and Wrekin Council be approved such appointment to be for an initial period of four years.

#### 2.0 Purpose of Report

2.1 The purpose of this report is to update the Committee on the activity to date in respect of the recruitment of two Independent Persons and to seek the Committee's agreement to recommend to Full Council the appointment of the preferred candidates.

### **3.0 Background**

- 3.1 At the Committee's meeting of 1 February 2022, the Committee was provided with an update on the proposed recruitment exercise for two Independent Persons. The Committee approved the proposed recruitment exercise and delegated authority to the Monitoring Officer, in consultation with the Chair, to undertake the necessary recruitment activity.
- 3.2 Members discussed the proposed recruitment activity and considered that it would be desirable for the Independent Persons to also attend Committee meetings and play a meaningful role in Standards Committee work going forward. Accordingly, the recruitment packs were amended so as to make clear that attendance at Committee meetings would be considered part of the role.
- 3.3 3 applications were received and, after discussion with the Chair, two candidates were interviewed. Following interview, it is recommended that both candidates be appointed as Independent Persons for the Council for an initial term of four years. Standards Committee is asked to recommend to Full Council, the appointment of Thomas Senior and Julia Lynch to act as Independent Persons.

### **4.0 Summary of main proposals**

- 4.1 Following a recruitment exercise, two candidates have been identified who are suitable for appointment as Independent Persons. Details of each candidate have been set out below. They each have a working knowledge of local government law, meet the eligibility criteria set out in the Localism Act 2011 and are committed to good governance and the ethical framework relating to the member standards regime.
- 4.2 Thomas Senior resides within the Borough. He is a Senior Lawyer and Manager at Dudley Metropolitan Borough Council and has previously also worked at City of Wolverhampton Council. He has direct experience of standards work through his employment.
- 4.3 Julia Lynch is a senior Lawyer working at the Information Commissioner's Office and has previously worked within Legal Services at Sandwell Metropolitan Borough Council. She has direct experience of conducting standards investigations.
- 4.4 Both candidates are, in the opinion of the Monitoring Officer, suitable for appointment to the role of Independent Person. Although the Localism Act 2011 only requires a Council to appoint a single independent person, Members may recall that the Committee for Standards in Public Life considers it to be good practice to have at least two Independent Persons appointed, to account for any potential conflicts of interest.

## **5.0 Alternative Options**

- 5.1 The Council must, in accordance with the Localism Act 2011, appoint an Independent Person to be consulted by the complainant, any elected member subject to a complaint and the Monitoring Officer when determining Code of Conduct complaints.
- 5.2 The Committee for Standards in Public Life has recently recommended that an Independent Person should spend no longer than 8 years in the role, a period which the current Independent Person has exceeded.
- 5.3 If the Council does not appoint new Independent Persons, it will not be acting in accordance with the recommendations of the Committee for Standards in Public Life.

## **6.0 Financial Implications**

- 6.1 The Independent Person roles will be remunerated by payment of a co-optee fee, which is in accordance with the Members' Allowances set by full Council and applies to all co-optees, across all of the Council's committees. The fees will be met from existing departmental budgets.

## **7.0 Legal and HR Implications**

- 7.1 The Council must, in accordance with the Localism Act 2011, appoint at least one Independent Person. The report sets out that it is considered best practice to appoint more than one Independent Person, should a conflict arise. The recommendations contained within this report will ensure the Council is meeting its statutory obligations and ensure that Code of Conduct matters can be progressed efficiently and in accordance with the law.

## **8.0 Background Papers**

- 1 Standards Committee Papers from 1 February 2022.

## **9.0 Report Sign Off**

<b>Signed off by</b>	<b>Date sent</b>	<b>Date signed off</b>	<b>Initials</b>
Legal	01/09/2022	02/09/2022	AL
Finance	01/09/2022	07/09/2022	MB