



Borough of Telford and Wrekin

Full Council

Thursday 11 November 2022

Appointment of Independent Persons

Cabinet Member:	Cllr Rae Evans - Cabinet Member: Finance, Governance and Customer Services
Lead Director:	Anthea Lowe - Director: Policy & Governance
Service Area:	Policy & Governance
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Wards Affected:	All Wards
Key Decision:	Not key decision
Forward Plan:	Not Applicable
Report considered by:	Not Applicable

1.0 Recommendations for decision/noting:

Full Council is asked to:

- 1.1 Agree the appointment of Thomas Senior and Julia Lynch as Independent Persons for Telford and Wrekin Council for an initial period of four years.

2.0 Purpose of Report

- 2.1 Following a recruitment exercise and the identification of two suitable candidates, this report seeks a decision from Full Council to appoint two new independent persons to assist the Monitoring Officer when considering complaints under the Code of Conduct for Elected Members.

3.0 Background

- 3.1 Standards Committee, at its meeting on 28 September 2022, agreed to recommend the appointment of two new independent persons to Full Council.

3.2 Following an open recruitment exercise, three applications were received and, after discussion with the Chair, two candidates were interviewed. Following those interviews, it is recommended that both candidates are appointed as Independent Persons for the Council for an initial term of four years.

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 and assisting her then Monitoring Officer.

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.

5.4 The appointment of at least two Independent Persons is a recommendation of the Committee for Standards in Public Life, allowing for flexibility should conflicts of interest arise or for the unavailability of a single Independent Person. It would be open to the Council to only appoint a sole Independent Person but for the reasons identified, it is not considered best practice to do so.

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 of 1 February and 28 September 2022.

9.0 Report Sign Off

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