

## COUNCIL

13 November 2017

### APPOINTMENT OF INDEPENDENT PERSON

#### Report of the Monitoring Officer

|                                |                                        |                                      |
|--------------------------------|----------------------------------------|--------------------------------------|
| Strategic Aim:                 | Sound Financial and Workforce Planning |                                      |
| Exempt Information             | No                                     |                                      |
| Cabinet Member(s) Responsible: | N/A                                    |                                      |
| Contact Officer(s):            | Debbie Mogg, Director for Resources    | 01572 758358<br>dmogg@rutland.gov.uk |
| Ward Councillors               | N/A                                    |                                      |

#### DECISION RECOMMENDATIONS

That Council:

1. Approves the extension of Mr Gordon Grimes' and Mr Ian Shatford's appointment as Independent Persons to 1 May 2019.

#### 1 PURPOSE OF THE REPORT

- 1.1 To obtain approval for extending the end date of the appointment of both of the Council's Independent Persons in order to remain resilient in this area.

#### 2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Localism Act 2011 requires a relevant authority to make provision for the appointment of at least one Independent Person, whose views are sought, and taken into account, by the authority, before it makes a decision on a complaint regarding the conduct of members of the County Council or any of the parish councils within Rutland.
- 2.2 The Independent Persons assist the Council in promoting and maintaining high standards of conduct amongst its elected and co-opted members and town and parish Councillors.
- 2.3 The Council has appointed two individuals to act as Independent Persons in this regard. Mr Shatford and Mr Grimes were appointed by Council in July 2012 and April 2014 respectively.
- 2.4 Mr Grimes and Mr Shatford have both indicated that they are willing to continue in the role of Independent Person until May 2019.

### **3 CONSULTATION**

3.1 The current Chairman of the Conduct Committee, Mr A Stewart, has been consulted and is in support of the extension of these appointments.

### **4 ALTERNATIVE OPTIONS**

4.1 Although the Council can retain just one Independent Person, it is preferable to retain two in case an Independent Person is unavailable or perhaps conflicted out of a particular matter.

### **5 FINANCIAL IMPLICATIONS**

5.1 The financial implications arising from this report are minimal; the Independent Persons are not paid an allowance, but may claim expenses.

### **6 LEGAL AND GOVERNANCE CONSIDERATIONS**

6.1 Section 28 of the Localism Act 2011 requires a relevant authority to make provision for the appointment of at least one Independent Person “whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate”.

### **7 EQUALITY IMPACT ASSESSMENT**

7.1 An Equality Impact Assessment (EqIA) has not been completed because there are no service, policy or organisational changes being proposed.

### **8 COMMUNITY SAFETY IMPLICATIONS**

8.1 There are no community safety implications.

### **9 HEALTH AND WELLBEING IMPLICATIONS**

9.1 There are no health and wellbeing implications.

### **10 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

10.1 It is proposed that the extension of these appointments until the end of this Council in May 2019 is appropriate, after which time the Council will be asked to consider whether to further extend the appointments or to undertake a recruitment exercise in order to appoint to these roles.

### **11 BACKGROUND PAPERS**

11.1 There are no background papers.

### **12 APPENDICES**

12.1 There are no appendices.

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