

COUNCIL

DATE: 6TH SEPTEMBER 2017

RENEWAL OF APPOINTMENT OF INDEPENDENT PERSON SECTION 28 LOCALISM ACT 2011

Report of the Monitoring Officer

Cabinet Member: Councillor Nick Oliver - Corporate Services & Cabinet Secretary

Purpose of report

To renew the appointment of the current independent person under section 28 of the Localism Act 2011 to ensure compliance with prevailing statutory requirements

Recommendations

To renew the appointment of Mrs. Judith Common as the Council's independent person under section 28 of the Localism Act 2011 for a period of two years from the date of this meeting

Link to Corporate Plan

This report is relevant to the Developing the Organisation priority included in the NCC Corporate Plan 2013-2017

Key issues

Need to consider renewal of appointment of independent person in compliance with the Localism Act 2011

Current independent person willing to continue term for an additional two years

Background

1. Under section 28 of the Localism Act 2011 the Council are required to appoint at least one independent person to assist in the complaints process under the ethical standards regime.
2. Under the arrangements adopted by this Council in relation to the consideration of allegations of member misconduct the independent person's views are principally sought by the authority when deciding whether a complaint of misconduct requires further action and also in connection with the conduct and consideration of any investigation that is commissioned into an allegation of misconduct including, and most notably, as part of any hearing into any allegation of misconduct
3. In compliance with this requirement the Council appointed Mrs Judith Common in July 2012 for an initial period of two years. That appointment was renewed by the Council for a further three years in 2015. There is no limit to the term any independent person can serve under the Act. During the last five years Mrs Common has proved to be a considerable asset to the ethical standards regime and has gained a great deal of experience in her role and it is therefore felt that there would be considerable advantages in extending the term of office, at least for a period of a further two years during which time arrangements could be made for a fresh recruitment process to be undertaken which might provide for an overlap between Mrs Common and any new appointee to ensure a smooth transition in due course. Mrs Common has indicated that she is willing to serve a further two years in the role.

Implications

Policy	N/A
Finance and value for money	None significant
Legal	These are set out in the body of the report
Procurement	N/A
Human Resources	N/A
Property	N/A
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	N/A
Risk Assessment	N/A

Crime Disorder &	N/A
Customer Consideration	The appointment of an independent person, notwithstanding the statutory requirement, will give customers an assurance in relation to the operation of the ethical standards regime
Carbon reduction	N/A
Wards	All divisions

Background papers:

Localism Act 2011

Northumberland County Council Arrangements for Member Code of Conduct complaints

Report sign off.

	initials
Finance Officer	n/a
Monitoring Officer/Legal	LH
Human Resources	n/a
Procurement	n/a
I.T.	n/a
Executive Director	AE
Portfolio Holder(s)	NO

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