



Northumberland

County Council

COUNCIL

DATE: 2ND NOVEMBER 2022

APPOINTMENT OF ADDITIONAL INDEPENDENT PERSONS

REPORT OF THE MONITORING OFFICER

Purpose of report

The purpose of this report is to update Members on the recruitment process for two additional Independent Persons.

Recommendations

Council to requested to approve as follows:

- 1) The appointment of Mr Simon Openshaw and Mr Arne Beswick as Independent Persons for a two-year period until 1st November 2024, renewable for a further two-year period maximum thereafter; and
- 2) The renewal of the appointments for a two year period from the 1st November 2024 is delegated to the Monitoring Officer in consultation with the Chair and Vice Chair of Standards Committee

Link to Corporate Plan

This report is relevant to the “How” priority included in the NCC Corporate Plan.

Key issues

The Council currently only has one Independent Person and Council agreed at its January 2022 meeting that the process of appointing two additional Independent Persons be delegated to the Standards Committee. The final approval of Independent Persons is a matter reserved to Full Council under its terms of reference.

Background

1. The Council is required, under the Localism Act 2011, to appoint at least one Independent Person who has a role to play primarily in the assessment of complaints in conjunction with the Monitoring Officer as well as supporting the work of the Standards Committee. The current incumbent was appointed in this capacity in 2020 and Council

on the 5th January 2022 endorsed reappointment for a further two years until 31st January 2024.

2. As well as the role under the Localism Act 2011, the Independent Person also has a role to act as Independent Person in disciplinary matters for Chief Officers under the model procedure set out in the Conditions of Service Handbook of the Joint Negotiating Committee for Local Authority Chief Executives.
3. Other Councils regionally have more than one Independent Person and it is believed to be prudent for Northumberland County Council to have two further Independent Persons. Additionally, in 2019 the Committee for Standards in Public life conducted a review of local government ethical standards, publishing a report and best practice guidance (“the CPSL Report”). One of the outcomes of the best practice guidance was a recommendation that local authorities should have access to at least two Independent Persons.
4. On the 5th January 2022, full Council agreed the appointment of two further Independent Persons and delegated the recruitment process to Standards Committee in conjunction with the Monitoring Officer. However, final approval of the successful candidates will still need to be approved by full Council as it is a matter reserved under its terms of reference.
5. At its meeting on the 10th February 2022, the Standards Committee approved the interview pack and agreed the composition of the interview panel. The composition of the interview panel was further changed to replace Councillor Wallace with Councillor Dunn at the meeting on 14th July 2022.
6. The positions were advertised from the 24th June 2022 – 15th July 2022 on the Council’s Taleo system and nine applications were received. Three candidates withdrew and the interviews of the remaining six candidates took place on the 6th and 7th of October 2022.
7. The interview panel reported their conclusions to a meeting of Standards Committee on 13th October 2022 and the Standards Committee resolved to recommend to Council that i) Mr Simon Openshaw and ii) Mr Arne Beswick be appointed as Independent Persons. Attached at appendix A as a confidential appendix are the application forms of the candidates recommended for appointment.
8. The appointments will be for a period of two years, which is renewable for a further period of two years under the terms and conditions of appointment. The CPSL Report at recommendation 8 states that the Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once. In their response to the CPSL Report, the government did not accept that the legislation needed amending, suggesting that the recommendation be a matter of best

practice guidance for local authorities, but leaving local authorities flexibility in instances where there is a lack of candidates for the role.

9. The recommendation also seeks a delegation to the Council's Monitoring Officer to further re-new the term of up to two years to be exercised in consultation with Chair and Vice-Chair of Standards Committee.

Implications

Policy	N/A
Finance and value for money	The independent persons would each be paid an allowance of £2,700 per annum which is already provided for within the Council's General Fund Budget.
Legal	These are as set out in the report
Procurement	N/A
Human Resources	The Council's recruitment and selection good practice standards was followed in the selection process
Property	N/A
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No x N/A <input type="checkbox"/>	The recruitment process was open to all sections of the community
Risk Assessment	N/A
Crime & Disorder	N/A
Customer Consideration	N/A
Carbon reduction	N/A
Wards	All

Background papers:

Terms and Conditions

Report sign off.

Authors must ensure that officers and Members have agreed the content of the report:

	Full name of officer
Monitoring Officer/Legal	Suki Binjal
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