



**Annual Council**

**20 May 2019**

**Subject: Appointments of Standards Independent Persons**

Report by:

Monitoring Officer

Contact Officer:

Alan Robinson

Strategic Lead for Democratic and Business Support and Monitoring Officer

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Purpose / Summary:

To appoint Independent Members to serve as Standards Independent Persons.

**RECOMMENDATION(S):**

**(a) That the persons named in paragraph 2.1 be re-appointed to serve as the Standards Independent Persons from 20 May 2019 for a period of 3 years to 2022.**

## IMPLICATIONS

**Legal:** None associated with this report.

**Financial :** **FIN/13/20** Independent Persons are able to claim expenses and this will be met from existing budgets.

**Staffing:** None associated with this report.

**Equality and Diversity including Human Rights :** None

**Risk Assessment :** N/A

**Climate Related Risks and Opportunities :** None

**Title and Location of any Background Papers used in the preparation of this report:**

None

**Call in and Urgency:**

**Is the decision one to which Rule 14 of the Scrutiny Procedure Rules apply?**

Yes

No

X

**Key Decision:**

Yes

No

X

## 1. Background

- 1.1 West Lindsey appoints and calls upon the services of two Independent Persons for Standards, to assist the Monitoring Officer with complaints when the behaviour of District/Parish Councillors is called into question under the Code of Conduct.
- 1.2 The period of office (3 years) for these two Independent Persons roles expires in May 2019.
- 1.3 West Lindsey website plus social media was used to advertise the vacancies and applications were received from the current postholders only, resulting in both current postholders being re-appointed. Copies of the advertisement, person specification and background information are attached at Appendix A.
- 1.4 Interviews were held on 7 March 2019. The Panel comprised Councillor Giles McNeill, Alan Robinson (Strategic Lead for Governance and People/Monitoring Officer/Returning Officer), and James O'Shaughnessy (Corporate Policy Manager/Deputy Monitoring Officer).

## 2. Recommended for Appointment

- 2.1 It is **RECOMMENDED** that the following candidates be re-appointed to serve as the Standards Independent Persons, from 20 May 2019 for a three year period, until May 2022:

Ms Madge Marshall-Brown

Mr Stephen Beard

## Independent Person

**Fixed Allowance:** plus travel expenses

### Helping your council

Are you interested in helping West Lindsey District Council maintain high standards of councillor conduct?

If so, we are looking to appoint two Independent Persons to assist with cases where councillor behaviour has been called into question.

The successful candidate will be part of a panel who will meet to consider whether a councillor has failed to comply with the councillors' Code of Conduct and decide on what action will be taken in respect of any breach of the code.

As an Independent Member you –

Must be consulted by the authority before it makes a finding as to whether a Member has failed to comply with the Code of Conduct or decide on action to be taken in respect of that Member.

May be consulted by the authority in respect of a Standards complaint at any other stage.

May be consulted by a Member or Co-opted Member of the District Council or of a Parish Council against whom a complaint has been made.

The amount of time dedicated to this role will depend on the number of complaints received. The successful candidates will receive a small fixed allowance and travel expenses to the Guildhall.

If this opportunity interests you and you would like to discuss it further without committing yourself, please phone Monitoring Officer Alan Robinson on 01427 676509.

For an information pack and application details please phone the same number.

The Council has a commitment to equal opportunities and welcomes applicants from all sections of the community. Also we operate a no smoking policy.

**The closing date: 1<sup>st</sup> February 2019**

**Interview date: 7<sup>th</sup> March 2019 in the Guildhall.**





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## **APPOINTEES – PERSON SPECIFICATION**

### **General**

To be eligible for appointment, a person must not be disqualified from holding office as a member of the local authority. Accordingly, any person who is recommended for appointment will be required to confirm that he/she is not disqualified.

### **Selection Criteria**

Prospective Independent should –

1. Have an interest in standards in public life.
2. Wish to serve the local community and uphold local democracy by playing a key part in promoting and maintaining high standards of conduct by Members of the District Council and the Parishes within West Lindsey.
3. Demonstrate high standards and personal integrity.
4. Be objective, independent and impartial.



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## **DISQUALIFICATIONS FOR APPOINTMENT**

A person cannot be “independent” if he/she –

- Is or has, within the past 5 years, been a Member, Co-opted Member or officer of the authority, or of a Parish Council within the authority’s area.
- Is a relative, or close friend of a person detailed above. For this purpose, “relative” means:-
  - (i) Spouse or civil partner
  - (ii) Lives with the other person as husband and wife or as if they were civil partners.
  - (iii) Grandparent.
  - (iv) Any person who is a lineal descendent of the candidate’s grandparent.
  - (v) A parent, brother, sister or child of anyone in paragraphs (i) and (ii).
  - (vi) The spouse or civil partner of anyone within paragraphs (iii), (iv) or (v) or
  - (vii) Any person living with a person within paragraphs (iii), (iv) or (v) as if they were spouse or civil partner to that person.

The amount of time dedicated to this role will be dependent upon the number of complaints received and a small fixed allowance will be payable together with travel and subsistence expenses.

If you have any queries as to whether or not you may be disqualified from appointment, please ring Alan Robinson, Monitoring Officer, on (01427) 676509.



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## THE COUNCIL – BRIEF OVERVIEW

The District of West Lindsey covers the area immediately north of Lincoln and forms the north west gateway to Lincolnshire. Covering an area of 115,773 hectares (447 square miles, 1,158 square kilometres), and serving a population of approximately 91,800 the district is predominantly rural and provides an attractive setting for its three market towns of Caistor, Gainsborough and Market Rasen. The District is the 17th most sparsely populated area in England with a population density of 75 persons per square kilometre (*Office of National Statistics (ONS) Mid-2006 population density figure*). This means that it is the most sparsely populated Council within Lincolnshire and the East Midlands Region. The sparsity factor results in the costs of some services being higher compared with other district councils where the population is concentrated in a much smaller area, a major factor to be considered when undertaking Best Value.

West Lindsey District Council is divided into 20 District Council wards and comprises 36 Councillors. Some wards elect one Councillor, others two and the remainder three. The Council's political composition currently is:

◆	Conservative Group .....	24
◆	Liberal Democrat Group .....	7
◆	Labour .....	3
◆	Independent .....	1
◆	Independent .....	1

Whole Council Elections take place every 4 years, the next being held in May 2019.

Our main office is based at the Guildhall, Marshall's Yard, Gainsborough, where customers can access all services via our Corporate Reception.

The Council currently employs around 300 full-time employees and operates through a number of Committees and Directorates which are responsible for advising in terms of service delivery, policy formation, expenditure etc.

For more detailed information about the Council and the District of West Lindsey please visit our website at [www.west-lindsey.gov.uk](http://www.west-lindsey.gov.uk).



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## **Standards – Code of Conduct Independent Person**

The Localism Act 2011 made fundamental changes to the system of regulation of standards of conduct for elected and co-opted Councillors and became effective from July 2012.

The Authority is required to promote and maintain high standards of conduct for its elected and co-opted Members and must adopt a code dealing with the conduct that is expected of Members and co-opted Members of the Authority.

The District Council must have in place arrangements under which allegations can be investigated and arrangements under which decisions on allegations can be made.

Any 'arrangements' adopted by the Council must include provision for the appointment by Council of an Independent Person whose role is as set out in the advertisement, and includes being consulted by a Member or Co-opted Member of the District Council or of a Parish Council against whom a complaint has been made.

If you have any queries as to whether or not you may be disqualified from appointment, please ring Alan Robinson, Monitoring Officer, on 01427 676509.