

Item

APPOINTMENT OF INDEPNDENT PERSON AND DEPUTY



To:

Civic Affairs Committee 28/03/18

Report by:

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Wards affected:

None directly affected

1. Introduction

Following the resignation of Mr Sean Brady from the position of the Council's Independent Person with effect from 25 September 2017; the Committee is asked to consider the appointment of an Independent Person.

In the interim this role has been covered by the Council's Deputy Independent Person, Mr Rob Bennett.

The Deputy Independent Person position terminates at the end of February 2018; the Committee agreed to extend this appointment at a meeting in February 2016 (17/02/16) for a further two years.

Therefore the Committee is also asked to consider the appointment of a Deputy Independent Person.

2. Recommendations

Recommend to Council:

That Mr Rob Bennett is appointed as the Council's Independent Person and Judge David Pearl as the Deputy Independent Person.

Both posts will be for a three year fixed term with a further option to extend the appointment for a two year period subject to annual ratification at the Annual Meeting of the Council.

3. Background

3.1 The role of the Independent Person was created by the Localism Act 2011 which requires all local authorities to adopt a code of conduct for elected members, and to appoint at least one independent person to assist the council in dealing with complaints when the code of conduct may have been breached.

3.2 The Council had previously endorsed selection criteria and a role description, which are annexed to this report (Appendix A). The Council also agreed to an allowance of £1,000 for the principal Independent Person and of £500 for their Deputy.

3.3 Members of the public were invited to apply for the role of Independent Person by an advertisement in the Cambridge Independent, the Council's website and Public Sector Jobs Go East.

3.4 A Panel consisting of Tom Lewis, Head of Legal Practice; Councillor McPherson, Chair of the Civic Affairs Committee and Councillor O' Connell, Civic Affairs Committee Member and Opposition Spokes agreed the selection of the candidates and recommended the appointment.

3.5 A total of six applications were received and five were able to attend an interview day.

3.6 The Panel interviewed all candidates on 13 February 2018.

4. The role of the Independent Person

4.1 The Council is required by the Localism Act 2011 to appoint one or more "Independent Persons" to play a role in connection with the determination of complaints against councillors and to retain an independent element to the promotion and regulation of standards.

4.1 These are functions of the Independent Person:

- The IP must be consulted and their views taken into account before the Council makes a decision on any allegation it has decided to investigate.
- The IP may be consulted by the Council in other circumstances related to "standards" issues; e.g. at the point at which a complaint is received, or more generally regarding ethical issues.
- The IP may be consulted by a member of the authority against whom an allegation has been made.

4.2 The Independent Person and Deputy also have a wider role in relation to good governance through their attendance and contribution to debate at Civic Affairs Committee. This introduces an element of external challenge.

4.3 The original appointment of the Independent Person and Deputy was made for a three year term but with appointments subject to annual ratification at the Annual Meeting of the Council. At a meeting of the Civic

Affairs Committee (17/02/16) it was agreed to extend both appointments by a further two years.

5. The Candidates

The Panel were impressed by the quality of the applications and it was apparent that applicants had put a great deal of time and effort into their applications.

6. The Panel's Recommendation

Interviews were held on 13 February 2018 with five candidates. Each interview lasted 45 minutes to 60 minutes. After careful deliberation, the Panel recommend the appointment of Mr Rob Bennett as Independent Person and Judge David Pearl as Deputy.

Mr Rob Bennett is a qualified public sector accountant with a detailed understanding of internal and external audit, financial management and control. Mr Bennett was appointed Cambridge City Council Deputy Independent Person in 2014 and took over the role as Acting Independent Person following the resignation of Mr Sean Brady from the position of the Council's Independent Person with effect from 25 September 2017.

Judge David Pearl, retired National Chair of the Medical Practitioners Tribunal Service, is currently one of the Independent Persons for Uttlesford District Council, a position held since January 2015.

7. Consultation

The recommendations are the outcome of an open appointment process. The recommendations are made by the Panel. Consultation, as such, was not appropriate for this appointment.

8. Implications

(a) Financial Implications: An allowance of £1,000 is payable to the Independent Person and £500 to the Deputy. This is provided for within existing budgets. *Page: 4*

(b) Staffing Implications: There are none.

(c) Equality and Poverty Implications: An Equality Impact Assessment is not applicable.

The initial appointment was advertised on the Council's website and in the Cambridge Independent and Public Sector Jobs Go East and was conducted in accordance with the Council's recruitment guidance.

(d) Environmental Implications – Nil Impact

(e) Procurement Implications – Nil

(f) Community Safety Implications - Nil

9. Consultation and communication considerations – See section 7

10. Background papers

- Report to Civic Affairs Committee – 27 June 2012.
- Report to Council – 21 February 2013
- Report to Civic Affairs Committee -17 February 2016
- Report to Council - 25 February 2016

11. Appendices

A: Independent Person Information Pack and Application

11. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Claire Tunncliffe, Committee Manager, tel: 01223 - 457013, email: claire.tunncliffe@cambridge.gov.uk.