



## GOVERNANCE COMMITTEE

13 November 2013

<b>Subject Heading:</b>	Appointment of Independent Person
<b>CMT Lead:</b>	Ian W. Burns
<b>Report Author and contact details:</b>	Ian W. Burns Acting Assistant Chief Executive <a href="mailto:ian.burns@havering.gov.uk">ian.burns@havering.gov.uk</a> 01708 432484
<b>Policy context:</b>	
<b>Financial summary:</b>	There are no financial implications involved in this report

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

### SUMMARY

1. On 10 September 2013, the Governance Committee received a report for the appointment of an Independent Person. Consideration of the report was deferred to enable staff to provide more detailed information on the individual who was being put forward for the role. That information is disclosed in an exempt appendix to this report.
2. As explained in the previous report to the Committee, the Localism Act 2011 introduced a statutory regime for regulating Members' standards of conduct. As part of the arrangements, the Council appointed an Independent Person, Keith Mitchell, to carry out various functions. The Council also appointed another Independent Person who would deputise for Mr Mitchell when necessary.
3. The Council entered into an informal mutual support arrangement with Redbridge Council whereby the Independent Person appointed by that Council would be available when necessary to deputise for this Council's Independent Person, and *vice versa*.

4. Redbridge appointed Kevin Madden as its Independent Person, and this Council appointed Mr Madden as the deputy.
5. Sadly, Mr Madden passed away earlier this year. Redbridge has since appointed a new Independent Person, Sarah Cooper James, to fill the vacancy. As part of the mutual support arrangement, the Council is required to appoint Ms Cooper James as the Independent Person to deputise for the Mr Mitchell.

## RECOMMENDATIONS

To **RECOMMEND to the Council** that the Independent Person, Sarah Cooper James, appointed by Redbridge Council as its Independent Person, be appointed to deputise for Havering Council's Independent Person when necessary.

## REPORT DETAIL

### Introduction

- 1 The Localism Act 2011 introduced a statutory regime for regulating Members' standards of conduct. As part of the arrangements, the Council appointed an Independent Person, Keith Mitchell, to carry out various functions. The Council also appointed another Independent Person who would deputise for Mr Mitchell when necessary.

### Deputising arrangements

- 2 There will be occasions when the Independent Person will be unable to act (for example because of illness or holiday, or because of a possible conflict of interest) and so a deputising arrangement is needed.
- 3 The Council entered into a mutual support arrangement with Redbridge Council whereby the Independent Person appointed by that Council is available when necessary to deputise for this Council's Independent Person, and *vice versa*.
- 4 Redbridge has appointed Sarah Cooper James as their Independent Person following the sad death of its former Independent Person, Kevin Madden earlier this year.

## IMPLICATIONS AND RISKS

### **Financial Implications and Risks**

There are no significant or specific financial implications or risks arising from this report.

Redbridge Council funds the allowance for its Independent Person. There is therefore no cost to this Council.

### **Equalities and Social Inclusion Implications and Risks**

No specific implications or risks have been identified. The maintenance of high standards of conduct by Members is in the interest of all sections of the community.

### **Environmental Implications and Risks**

There are no implications or risks for the environment.

### **Legal Implications and Risks**

The Localism Act obliges the Council to adopt a Code of Conduct and to take specified measures to ensure compliance with it.

The appointment of a deputy Independent Person improves the ability of the Council to comply with its obligations under the Act, thereby reducing any risk of challenges to its actions.

### **Human Resources Implication and Risks**

There are no implications or risks for Human Resources.

**BACKGROUND PAPERS**

None