

County Council

Report Title:	Extension of Appointment of Independent Persons
Meeting Date:	15 September 2016
Lead Councillor(s):	Councillor Colin Noble
Local Councillor(s):	All
Director:	Deborah Cadman, Chief Executive
Assistant Director or Head of Service:	Tim Ryder, Assistant Director (Scrutiny & Monitoring) and Monitoring Officer
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Brief summary of report

1. The Localism Act 2011 places a duty on local authorities to promote and maintain high standards of conduct for elected and co-opted members. This includes the requirement to have a Code of Conduct with which members must comply.
2. The Act also requires that authorities adopt arrangements for dealing with complaints about potential breaches of the Code of Conduct by members. This must include provision for the appointment of at least one Independent Person per authority.
3. In September 2014, following a recruitment exercise, the County Council appointed four Independent Persons for a period of two years with an option to extend for a further two years. This report recommends extending those appointments.

Action recommended

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| <ol style="list-style-type: none"> 4. It is recommended that Council agrees to extend the appointment of the individuals listed in Appendix A as Independent Persons for the County Council for a further period of two years. |
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Reason for recommendation

5. In order for the Council to comply with the requirements of the Localism Act 2011.

Alternative options

6. Councillors could decide not to appoint any or all of the individuals. However, the legislative requirement is for at least one Independent Person to be appointed.

Who will be affected by this decision?

7. All councillors and co-opted members.

Main body of report

8. The role of Independent Person is defined within the Localism Act 2011. The functions of the Independent Person(s) are -
 - (a) they 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 decides on action to be taken in respect of that member (this means on a decision to take no action where the investigation finds no evidence of breach or, where the investigation finds evidence that there has been a breach, on any resolution of the complaint, or on any finding of a breach and on any decision on action as a result of that finding);
 - (b) they may be consulted by the authority in respect of a standards complaint at any other stage; and
 - (c) they may be consulted by a member or co-opted member of the Council against whom a complaint has been made.
9. In summer 2014, the County Council, Babergh DC, Ipswich BC and Mid Suffolk DC collaborated on the recruitment of Independent Persons. The other Suffolk councils made their own arrangements to make appointments.
10. Four people were recommended to Council – Arnold Barrow; Hazel Clark; Carey Godfrey and Susannah Westwood. A short paragraph about each person is included in Appendix A.
11. All four have performed the role well, and the relevant Monitoring Officers are satisfied with the support that they have received. The four have all indicated that they wish to continue in the role.
12. The independent persons are paid an annual retainer of £300 and then a £50 fee for each case considered. The County Council pays only one annual retainer.
13. Although the other Suffolk councils have made their own arrangements to appoint, joint briefings and training events are held for all independent persons within Suffolk. An update event was held in March 2016 and delegates from Norfolk and Cambridgeshire also attended.
14. The Localism Act requires that the appointment of the independent person(s) must be agreed by Council. The appointment is recommended for a further period of two years.
15. In two years time there will be a full recruitment exercise. The current Independent Persons will be able to reapply if they wish.

Sources of further information

Agenda Item 8 – County Council – September 2014:
[http://committeeminutes.suffolccc.gov.uk/searchResult.aspx?qry=c_committee
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BIOGRAPHIES OF RECOMMENDED INDEPENDENT PERSONS

Arnold Barrow

Mr Barrow has been an Independent Person for the last four years. Previously Mr Barrow served as Chief Probation Officer in Suffolk between 1984 and 2001, as County Manager for Victim Support Suffolk from 2001 to 2004, and was an Independent Community Member of the Mid Suffolk Standards Committee from 2008 to 2012. He is currently an Independent Member of the Parole Board for England and Wales. Mr Barrow lives in Stowmarket.

Hazel Clark

Ms Clark has been an Independent Person for the last two years. Ms Clark is a Fee-paid Employment Judge at the London Central Employment Tribunal, appointed in 2004. Between 2004 and 2014, Ms Clark was also an Independent Member of Police Misconduct Panels, sitting on internal police disciplinary hearings with senior police officers. Ms Clark has recently been appointed as a Legally Qualified Chair of Police Misconduct Panels in the Eastern region. Ms Clark lives in East Suffolk.

Carey Godfrey

Mr Godfrey has been an Independent Person for the last four years. He was previously Suffolk County Council's Drug and Alcohol Team Co-ordinator, and is a former Independent Member of Suffolk Police Authority. He is an Independent Member on the County Permanence (Adoption) Panel, and was the Suffolk and Norfolk Local Crime: Community Sentence Co-ordinator for the National Probation Service. Mr Godfrey lives in Otley.

Susannah Westwood

Ms Westwood has been an Independent Person for the last two years. Ms Westwood has had a career in the public sector, working within the health sector, housing associations and most recently with Essex County Council as a Senior Commissioning Manager in Social Care. Ms Westwood is currently a Director with Strategic Arc Ltd, providing consultancy in the social care, housing and health sector. Ms Westwood lives in Sudbury.

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