

Report to: Council

Date: 26 November 2018

Title: Standards – Appointment of Independent Persons

Report of: Monitoring Officer

Ward(s): All

Purpose of report: To consider interim appointments of Independent Persons for Eastbourne Borough and Lewes District Councils to support the statutory standards regime.

Officer recommendation(s):

(1) That Mr Neal Robinson and Mr Vic Kempner be confirmed as interim Independent Standards Persons across both Eastbourne Borough and Lewes District Councils until July 2019.

(2) That an updated recruitment be held in 2019 to confirm two appointments for the next 4 years with aligned job descriptions and remuneration packages across both Councils.

(3) That the specific remuneration of the Independent Persons appointed by the Councils be delegated to the Monitoring Officers.

Reasons for recommendations:

(1) To provide each Council with sufficient Independent Person cover.

(2) To align the terms, across both Councils, on which Independent Persons are engaged.

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1 Introduction

- 1.1 The Localism Act 2011 requires a district or borough council to appoint at least one Independent Person following advertisement of the position and the receipt of applications. Both Eastbourne Borough and Lewes District Councils currently appoint two such persons in order to have sufficient cover and resource in the event of complex investigations.

1.2 Until recently, Eastbourne's Independent Persons were Neal Robinson and Allen Gales while the Lewes independent persons were Vic Kempner and Allen Gales. Following the sad recent death of Allen Gales, both authorities have only one appointed Independent Person each. Thus it is necessary to address this matter to ensure there is sufficient resource across both Councils.

2 Process of Appointment and Proposal

2.1 Independent Persons are recruited by a selection panel following external advertisement involving nominated members led by the Monitoring Officer. However, both Neal Robinson and Vic Kempner have been the subject of such a formal recruitment for their current roles and have expressed an interest in serving across both Councils as the late Allen Gales did.

2.2 The key requirements for the appointment of Independent Persons are:

- Appointments must be approved by a majority of the full Council
- Applicants cannot have been a member or co-opted member or officer of the authority within the last 5 years or a relative or close friend of a member or officer.

2.3 The proposal to the respective Councils is that Neal Robinson and Vic Kempner be appointed to serve as interim Independent Persons for both Eastbourne Borough and Lewes District Councils on their existing terms, until July 2019. At that point the intent would be to undertake a refreshed recruitment of two Independent Persons involving both external advertisement and selection panel process, to serve across both authorities on aligned terms for the following 4 years, the duration of office considered good practice.

3 Consultations

3.1 The proposals in this report have been subject to consultation with the Chairs of the Audit and Governance Committee in Eastbourne and the Audit and Standards Committee in Lewes, neither of whom raised an objection.

4 Financial Implications

4.1 There are costs associated with the remuneration of the Independent Persons and any appropriate training required to ensure the chosen candidates can fulfil the role and participate effectively in the work of standards. Currently, in Eastbourne, Independent Persons are paid a retainer of £1,000 per annum. Additional payments are then made at a specified daily rate (up to a maximum of 20 days) as and when duties are performed (currently set at £154 per day). In Lewes there is no retainer fee, simply a payment of £25 per hour plus expenses when conducting specific duties. As an interim position, it is proposed that the current arrangements are retained but then aligned as part of the refreshed recruitment in 2019.

5 Conclusion

- 5.1 The appointment of Independent Persons is required to comply with the Localism Act 2011 and the Council's Constitution. The Independent Persons have an important role in promoting and maintaining high standards of conduct by elected members and co-opted members of the Council.

6 Background papers

The background papers used in compiling this report were as follows:

- Localism Act 2011