

Report of Head of Legal and Democratic Services and Monitoring Officer

Author: Margaret Reed

Telephone: 01235 422550

Textphone: 18001 01235 422550

E-mail: margaret.reed@southandvale.gov.uk



To: COUNCIL

DATE: 17 May 2017

Extension of terms of office of independent persons for code of conduct matters

Recommendation:

That Council authorises the Monitoring Officer to extend the terms of office of the council's independent persons for code of conduct matters to 30 September 2019.

Purpose of Report

1. This report asks Council to authorise the Monitoring Officer to extend the terms of office of the council's independent persons for code of conduct matters to 30 September 2019.

Strategic Objectives

2. High standards of conduct underpin all the council's work and the achievement of all its strategic objectives.

Background

3. The Localism Act 2011 created a new category of independent person who the Monitoring Officer must consult at various stages of the process when dealing with allegations of misconduct by district or parish councillors.
4. At its meeting on 18 July 2012, Council appointed Mr Martin Wright and Mr Chris Smith as the council's independent persons until 30 June 2017.

5. These appointments were made following an advertisement, application and interview process and with a positive vote by a majority of councillors as required by the Localism Act. The Localism Act does not prescribe a time limit on the terms of office of independent persons and these are therefore within the discretion of the council.
6. It would be open to the council to carry out a fresh recruitment process at this time or to reappoint the current independent persons for a further term. Since their appointment, the current independent persons have attended training, carried out their roles diligently and gained experience from which the council can benefit for a further period. Chris Smith has also been appointed as an independent person for South Oxfordshire District Council until 30 September 2019. The Monitoring Officer therefore recommends an extension of their terms of office until 30 September 2019 so that a joint recruitment exercise can be carried out at that time.
7. The independent persons have been asked to confirm their agreement to the proposed extension of their term of office.

Financial Implications

8. The cost of implementing the code of conduct arrangements, training independent persons and meeting their expenses is met from existing budgets

Legal Implications

9. The legal implications are set out in the body of the report

Risks

10. None

Other Implications

11. None

Conclusion

12. This report recommends Council to authorise the Monitoring Officer to extend the terms of office of the council's independent persons for code of conduct matters to 30 September 2019.

Background Papers

- Report to and minutes of the Council meeting on 18 July 2012