



Report to Council

Report of: Director of Legal and Governance

Date: 5 September 2018

Subject: Appointment of the Independent Persons

Author of Report: Sarah Cottam – Principal Committee Secretary,
Democratic Services

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Summary:

The report advises Council of the recent appointment of two Independent Persons that assist the Monitoring Officer in dealing with Standards complaints following the recent recruitment process.

Recommendations:

That Council approves the appointment of the two Independent Persons (Mr. David Waxman and Ms. Jo Cairns) for a term of four years.

Background Papers:

None

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial implications
YES
Legal implications
NO
Equality of Opportunity implications
NO
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
NONE
Relevant Cabinet Portfolio Leader
Cllr Olivia Blake
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

1. Introduction

- 1.1 The report advises Council of the recent appointments of two Independent Persons that assist the Monitoring Officer in dealing with Standards complaints, following a recent recruitment process.

2. Background

- 2.1 The Localism Act 2011 introduced a new statutory framework for dealing with Standards Issues. In July 2012, the Council adopted a new Code of Conduct, created a Standards Committee and adopted a procedure for investigating Standards Complaints. The Act also created the new role of Independent Person which must be appointed by a Council.
- 2.2 This role is reflected in the procedures adopted by the Council. In addition, the role may also involve serving on a panel that would advise the Council on matters relating to the dismissal of any of the three Statutory Officers (Head of Paid Services, Monitoring Officer and the Chief Finance Officer).
- 2.3 The Independent Persons must be consulted at various stages of the complaints' process and assist the Monitoring Officer in considering complaints that a Member may have breached the Code of Conduct.
- 2.4 The Council Meeting on 7 November 2012 appointed three Independent Persons for a term of four years. This was undertaken jointly with Barnsley Metropolitan Borough Council and the South Yorkshire Joint Fire and Rescue and Integrated Transport Authorities with the remuneration of the posts shared between the three authorities.
- 2.5 The Council Meeting on 6 July 2016 approved the merger of the Audit and Standards Committees and also the reduction in the number of Independent Persons from three to two when the posts were advertised.
- 2.6 Due to delays in commencing the recruitment process, the Council Meeting on 2 November 2016 approved an extension to the three existing Independent Persons until such time as the appointments for the two new Independent Persons were made.

3. Recruitment Process

- 3.1 A recruitment process began in April 2018 to appoint two Independent Persons to the new posts. The posts were advertised for a two week period on the Council's website and also on the free job websites at the Sheffield Universities. The existing Independent Persons were eligible to apply for the new posts.

- 3.2 The shortlisted candidates were interviewed on 17 July 2018 and the new appointments were made jointly with Barnsley Metropolitan Borough Council (BMBC).
- 3.3 The interview panel comprised of Cllr Josie Paszek, Chair of Audit and Standards Committee (SCC), Cllr Jim Andrew, Deputy Leader (BMBC), Gillian Duckworth, Director of Legal and Governance/Monitoring Officer (SCC) and Martin McCarthy, Service Director/Deputy Clerk (SY Joint Authorities). Four candidates were interviewed by the panel.
- 3.4 All of the applicants were considered by the panel to be of a satisfactory standard and had relevant related experience in dealing with standards complaints. However the panel considered that the following two applicants should be appointed to the position of Independent Person for a four year term:
- Mr. David Waxman
 - Ms. Jo Cairns

4. **Legal and Financial Implications**

- 4.1 There are no legal implications. The two Independent Persons receive their annual allowance of £737.00 on a monthly basis which is equivalent to the allowance paid to co-opted members of the Council. The allowances are split between Sheffield City Council and Barnsley Metropolitan Borough Council.

5. **Recommendation**

- 5.1 That the Council approves the appointment of the two Independent Persons (Mr. David Waxman and Ms. Jo Cairns) for a four year term.