

**TITLE OF REPORT: PRESENTATION BY THE INDEPENDENT PERSONS**

REPORT OF THE MONITORING OFFICER

**1. SUMMARY**

- 1.1 This Report together with the presentation by the Independent Person and Reserve Independent Person are to update the Standards Committee following the Independent Persons attending Training regarding their role.

**2. RECOMMENDATIONS**

- 2.1 That the Standards Committee note and comment on the content of the Report and the Presentation.
- 2.2 That the Standards Committee note the Monitoring Officer's intention to review the Role Description for the Independent Persons and provide any comment at this initial stage.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To ensure good governance within the Council.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 None.

**5. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS**

- 5.1 None, although clerks of the parish councils will receive copies of this report.

**6. FORWARD PLAN**

- 6.1 This report does not contain matters referred to in the Forward Plan.

**7. BACKGROUND**

- 7.1 Within its terms of reference the Standards Committee has a function of "to promote and maintain high standards of conduct by Members and Co-Opted Members of the authority".

**8. ISSUES**

**Independent Persons (IP)**

- 8.1 The appointment of a second reserve IP was confirmed by Council on 18 July 2013. This appointment was approved for the purposes of the complaints handling processes

in case of conflict of both the IP and Reserve IP. The Authority now has an IP, a Reserve IP and a deputy Reserve IP.

8.2 The Council's IP and Reserve IP's attended training prior to Christmas 2013, titled "The Role of the Independent Person – One Year on". The IP and Reserve IP will present to the Committee an overview of the key highlights of that training.

8.3 Following the Training referred to above, and in discussion, the IP, Reserve IP and Monitoring Officer have been considering whether a review of the current Role Description would be appropriate. The existing Role Description is attached to this Report as Appendix A.

8.4 Full Council agreed on 17 May 2012 as follows:

**RESOLVED:** Delegate to the Monitoring Officer to prepare relevant paperwork including a job description and advertise and invite applications for a vacancy of one Independent Person and one reserve Independent Person. The Monitoring Officer and Director of Finance Policy and Governance be delegated to shortlist and interview applicants.

The job description outlined above was referred to as a "Role Description" when it was drafted and circulated.

8.5 The Monitoring Officer is therefore intending to amend the Role Description in consultation with the IP's and Chair of the Committee, and bring them to the next Committee meeting for consideration. Comments from the Committee are invited. Key areas that it is intended will be considered are:

- Consultation between the MO and IP even if there is not a formal complaint
- More detailed clarification regarding the consultation role of the IP with a Member who is the subject of a complaint (this links to one of the statutory roles of the IP who may be consulted by a Member against whom a complaint is made)
- IP's role at any Hearing

## **9. LEGAL IMPLICATIONS**

9.1 The statutory requirements for the role of the Independent Persons are covered in the Localism Act 2011. There are no specific legal implications arising from this report.

## **10. FINANCIAL IMPLICATIONS**

10.1 None

## **11. RISK IMPLICATIONS**

11.1 Appropriate policy frameworks help to ensure good governance of the Council and therefore reduce risk of poor practice or unsafe decision making.

## **12. EQUALITIES IMPLICATIONS**

12.1 None. Implications will be considered in relation to the specific areas of work identified.

## **13. SOCIAL VALUE IMPLICATIONS**

13.1 None.

**14. HUMAN RESOURCE IMPLICATIONS**

14.1 None. The work outlined within the report can be incorporated within the Monitoring Officer's workstream.

**15. APPENDICES**

15.1 Appendix A – Role Description of Independent Person

**16. CONTACT OFFICERS**

16.1 Katie White, Corporate Legal Manager and Monitoring Officer  
[katie.white@north-herts.gov.uk](mailto:katie.white@north-herts.gov.uk); ext 4315

**17. BACKGROUND PAPERS**

17.1 None.

**- THIS PAGE IS BLANK -**