

## Council

18 July 2017

### Appointment of Independent Persons

#### Recommendation

That the Council confirms the appointment of Mr Garth Murphy, Ms Maureen O'Sullivan, Mr David Stone, Mr Ray Tomkinson and Mr Howard Darling as Independent Persons for Warwickshire County Council under the Localism Act 2011

#### 1.0 Key Issues

- 1.1 Under the Localism Act 2011, local authorities must put in place arrangements to promote and maintain high standards of conduct amongst its councillors and co-opted members. As part of those arrangements the Council must appoint independent persons.
- 1.2 An Independent Person is not a member of any committee but the Council must seek his or her views, and take them into account, before taking a decision on an allegation that the Council has decided to investigate under the Member Code of Conduct. The views of an Independent Persons can also be sought by a member under investigation.
- 1.3 The County Council has combined forces with Solihull Metropolitan Borough Council, Nuneaton and Bedworth Borough Council and Rugby Borough Council to create a joint panel where Independent Persons may act for more than one authority. The incidence of complaints requiring investigation is very variable and single authority arrangements often fail to provide the necessary opportunities to enable Independent Persons to maintain their skills.
- 1.4 The Government has also put in place arrangements for independent persons (appointed for the above purposes) to be consulted if a Council proposed to dismiss their Head of Paid Service, Monitoring Officer or Chief Finance Officer. Whilst proposals to dismiss such officers are likely to be rare occurrences independent persons may be asked to play a part in the process.
- 1.5 The initial joint panel was set up in 2012. Given the passage of time and the new element to their role the Councils decided to refresh the list of independent persons. The role was advertised between 19<sup>th</sup> May and 12<sup>th</sup> June 2017. Following interviews by the Monitoring Officers in June and July the Council is asked to confirm the appointment of Mr Garth Murphy,

Ms Maureen O'Sullivan, Mr David Stone, Mr Ray Tomkinson and Mr Howard Darling as independent persons.

- 1.6 The appointments are expected to be for approximately 4 years at which point the Councils would expect to refresh the list of independents again.

## 2.0 Timescales associated with the decision and next steps

Council decisions have immediate effect.

### Background papers

None

	<b>Name</b>	<b>Contact Information</b>
Report Author	Jane Pollard	<a href="mailto:janepollard@warwickshire.gov.uk">janepollard@warwickshire.gov.uk</a> Tel: 01926 412565
Head of Service	Sarah Duxbury	sarahduxbury@warwickshire.gov.uk
Joint Managing Director	David Carter	davidcarter@warwickshire.gov.uk

The report was circulated to the following members prior to publication:

Local Member(s): N/A

Other members: N/A