

## APPOINTMENT OF RESERVE INDEPENDENT PERSON

Council – 25 July 2024

**Report of:** Monitoring Officer

**Status:** For Decision

**Executive Summary:** This report seeks appointment of a reserve Independent Person following resignation of the former incumbent. It also seeks to adjust the allowance paid to the Independent Person and reserve in line with budget and inflation.

**Contact Officer:** Martin Goodman, ext 7245.

**Recommendation to Council:**

- (a) Mr Paul Cummins be appointed reserve Independent Person;
- (b) The allowance paid to the Independent Person be increased to £1,500, and that paid to the reserve Independent Person be increased to £750, with effect from 1 August 2024.

**Reason for recommendation:** To bring into effect the decisions of the Member Recruitment Panel.

### Introduction and Background

- 1 Under the Localism Act 2011, the Council is required to appoint at least one Independent Person whose views are to be sought and taken into account in respect of allegations of breaches of the Code of Conduct. The Independent Person may also be approached by Members against whom allegations have been made.
- 2 In accordance with the Constitution, following advertisement, applicants were shortlisted to be interviewed by a Recruitment Panel comprised of the leaders of each political Group. Of those shortlisted, only one applicant remained in the process at the time allocated for interviews.

### The Applicant

- 3 The Applicant, Mr Paul Cummins, previously held a role of Monitoring Officer at three local authorities. He was responsible for operating the standards arrangements at each of those authorities including training Members and overseeing complaints. Since leaving local government, he has served as an Independent Person at Mid-Sussex District Council (since 2020) and Lewes

and Eastbourne Councils (since 2023). In 2020 he became a Member of the Law Society Conduct Committee.

- 4 The Recruitment Panel, after questioning the Applicant, concluded that he sufficiently matched the Job Description and unanimously agreed to recommend his appointment.

### **Allowances**

- 5 The Panel agreed that an allowance of £1,500 (increased from £1,000) for the Independent Person and £750 (increased from £500) for the reserve should be paid in addition to the usual travel expenses. These sums are within budget and simply reflect the impact of inflation since the allowances were last determined.

### **Majority**

- 6 Section 28(8)(c)(iii) of the Act requires any appointment to be approved by a majority of the members of the Council (i.e. at least 28 members in favour). This does not apply to the resolution relating to Allowances.

### **Other options Considered and/or rejected**

In the short term, the Council may have decided to hold the role of reserve Independent Person vacant. It may also have been possible not to review the allowances in the short term, although this may have led to further resignations.

### **Key Implications**

#### Financial

The proposals in this report are within budget.

#### Legal Implications and Risk Assessment Statement.

The Council is required by the Localism Act 2011 to appoint at least one Independent Person as part of the arrangements in place to demonstrate the promotion of good ethical governance. It provides an opportunity to retain confidence in the ethical governance of the District, Town and Parish Councils and demonstrates a commitment to public accountability for the actions of the Members.

#### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

#### Climate Change Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to tackle the challenge of climate change. There is no

perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

### **Conclusions**

Members are requested to endorse the recommendations of the Recruitment Panel.

#### **Appendices**

None.

#### **Background Papers**

None.

**Martin Goodman**

**Monitoring Officer**