

Name of meeting: Council

Date: 18th October 2023

Title of report: Reappointment of Independent Person

Purpose of report: To seek agreement from Council that the Independent Person be reappointed for a further period of 2 years and to note recruitment of a further Independent Person.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall – 27/9
Is it also signed off by the Service Director for Finance?	N/A
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – 22/9
Cabinet member portfolio	Cllr Paul Davies

Electoral wards affected: All

Ward councillors consulted: GBMs and

Standards Committee members

Public or private: Public

Has GDPR been considered? Yes

1. Summary

- 1.1 This report seeks agreement by Council that the current Independent Person be reappointed for a further two year term, to commence on November 1st 2023.
- 1.2 It also asks Council to note that, following previous authority to appoint a second Independent Person being granted , that steps will now be taken by the Monitoring Officer to advertise and recruit a further Independent Person.

2. Information required to take a decision

- 2.1 Kirklees is required by the Localism Act, 2011, to have appointed at least one Independent Person to assist and advise with standards complaints.
- 2.2 Council is asked to approve the reappointment of the current Independent Person and to note that a further one will now be recruited.

3. Implications for the Council

The Council is required under the Localism Act 2011 to have at least one Independent Person appointed to be available for consultation in relation to code of conduct complaints. If the council fails to have at least one Independent Person in post they would be in breach of this requirement and could face a potential legal challenge in respect of any decisions taken that required input from an Independent Person.

3.1 Working with People

Not applicable.

3.2 Working with Partners

Not applicable.

3.3 Place Based Working

Not applicable.

3.4 Climate Change and Air Quality

Not applicable.

3.5 Improving outcomes for children

Not applicable.

3.6 Financial Implications for the People Living or Working in Kirklees Council

Not applicable.

3.7 Other (eg Legal/Financial or Human Resources)

Not applicable.

4. Consultees and their opinions

Not applicable.

5. Next steps and timelines

5.1 The Monitoring Officer will issue a two year extension to the existing Independent Person's contract if Council approve this.

5.2 The Monitoring Officer will take steps to advertise for and recruit one further Independent Person.

6. Officer recommendations and reasons

6.1 Members are asked to approve the reappointment of the existing Independent Person for a further two years.

6.2 Members are asked to note that the Monitoring Officer will take the necessary steps to advertise for and appoint a further Independent Person.

7. Cabinet Portfolio Holder's recommendations

Not applicable

8. Contact officer

David Stickley – Senior Legal Officer
Telephone: 01484 221000
Email: david.stickley@kirklees.gov.uk

9. Background Papers and History of Decisions

None

10. Service Director responsible

Julie Muscroft – Service Director – Legal, Governance & Commissioning