



**Electoral wards affected: All**

**Ward councillors consulted: None**

**Public or private: Public**

**Has GDPR been considered? Yes**

## **1. Executive Summary**

- 1.1 This report seeks agreement by Council that the current Independent Person, Michael Stow, be reappointed for a further two year term, to commence on November 1st 2025.
- 1.2 Kirklees currently has two Independent Persons, the second having been appointed for a two year term in October 2024.
- 1.3 Given that the role of Independent Person involves providing advice to members as well as the Monitoring Officer, having two Independent Persons avoids any conflict of interest arising. It is considered good practice to have two Independent Persons.
- 1.4 Annual Council in May 2019 authorised the recruitment of a second 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, Michael Stow, for a further two years.

## **3. Implications for the Council**

The Council is required under the Localism Act 2011 to have at least one Independent Person 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 Council Plan**

N/A

### **3.2 Financial Implications**

An allowance of £500 pa is paid to the Independent Person and is already within the existing budget.

### **3.3 Legal Implications**

The Localism Act 2011 requires the Council to have at least one Independent Person appointed.

### **3.4 Climate Change and Air Quality**

N/A

### **3.5 Other (eg Risk, Integrated Impact Assessment or Human Resources)**

N/A

## **4. Consultation**

N/A

## **5. Engagement**

None

## **6. Options**

### **6.1 Options Considered**

It is recommended that Council approve the reappointment of Michael Stow.

### **6.2 Reasons for Recommended Option**

The Council is legally required to appoint at least one Independent Person, but it is considered good practice for two to be appointed.

## **7. Next steps and timelines**

The Monitoring Officer will issue a two year extension to Michael Stow's existing contract if Council resolve to approve this.

## **8. Contact officer**

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## **9. Background Papers and History of Decisions**

[Annual Council 2019](#)

## **10. Service Director responsible**

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