



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Agenda Item No:

Appointment Process for two Independent Persons

To: Audit and Governance Committee

Meeting Date: 30th July 2021

Public report: Public Report

From: Robert Parkin
Chief Legal Officer and Monitoring Officer

Recommendations: The Audit and Governance Committee is recommended to:

- a) Note the appointment process and role description to recruit two Independent Persons
- b) Ask the Chief Legal Officer/Monitoring Officer to undertake the work necessary to recruit the Independent Persons

1. Purpose

- 1.1 The Committee is asked to note the process for the appointment of two Independent Persons.

2. Background

- 2.1 Under the provisions of the Localism Act 2011 all relevant authorities are responsible for deciding how to deal with standards issues at a local level, including adopting its own local code and determining what arrangements it will adopt to deal with complaints.
- 2.2 The Act provides that the Authority must appoint an Independent Person to assist in discharging these responsibilities. The Independent Person will be consulted on the decision to investigate complaints and before it makes a decision on an investigated complaint. The Independent Person may be consulted on other standards matters, including by the member who is subject to an allegation.
- 2.3 The appointment of two Independent Persons allows for any occasion when one of them

may feel that he has a conflict of interest. A more recent change in the law requires the involvement of two independent persons in disciplinary proceedings affecting certain statutory chief officers. It is therefore appropriate for the Combined Authority to seek to have two such persons in place.

- 2.4 The Monitoring Officer intends to carry out the appointment process over August 2021 with a view to having confirmed candidates for Board approval by September 2021.
- 2.5 Full details of the role and responsibilities of the Independent Person and Appointment Process are included in Appendix 1.

3. Financial Implications

3.1 Independent persons from other constituent authorities are remunerated between £500 - £1100 per year; the following rates are currently paid:

- Cambridgeshire County Council - £500 per annum
- East Cambs District Council - £1027.50 per annum
- South Cambs District Council - £1090 per annum Lead (£500 – Deputy)
- Huntingdonshire - £1000 per annum Lead (£500 – Reserve)
- Peterborough City Council - £1000 per annum (£500 – reserve)
- Fenland District Council - £992 per annum
- Cambridge City Council - £1000 per annum

3.2 It is therefore proposed that the rate of remuneration for Combined Authority Independent Persons should be £1000 per annum for the Lead and £500 for the reserve, with the addition of travel and parking expenses if appropriate.

3.3 This will be contained in existing budgets, and will be subject to the approval of the Combined Authority Board.

4. Legal Implications

4.1 These are set out in the report.

5. Background Papers

5.1 None

6. Appendices

6.1 Appendix 1 – Appointment Process and Role Description

Appendix 1

Appointment Process

The vacancy for the two Independent Persons will be advertised in such manner as the Combined Authority considers is likely to bring it to the attention of the public.

The proposed process will entail the following:

A) An advertisement of the positions on the Combined Authority's website and social media platforms along with the website of each constituent authority.

B) A press release will be issued.

C) A note to all Members advising them of the forthcoming vacancy

The person must submit to the Combined Authority an application to fill the vacancy, and the person's appointment must be approved by a majority of the Members of the Combined Authority Board.

It is proposed that the applicants be interviewed by the Chair of Audit and Governance, the Chief Legal Officer/Monitoring Officer, and the Deputy Monitoring Officer. A recommendation will then be made to the Combined Authority.

Independent Persons – Role Description

The Independent Person will possess the following attributes, to be assessed through an application and interview process: -

- Personal integrity and honesty
- A keen interest and commitment to maintaining high standards in public life.
- A wish to serve the local community and uphold local democracy
- An interest in and awareness of the functions of local government relating to ethical governance, in particular the role of elected Members and the relevant Codes of Conduct.
- Independence, impartiality and experience of exercising sound objective judgements in relation to complex matters
- Excellent questioning, analytical and evaluation skills in order to advise whether a breach of the Code of Conduct or complaint should be investigated.
- A commitment to promoting equality and an awareness of the issues affecting the communities of Cambridgeshire and Peterborough.
- Excellent communication skills in particular the ability to provide clear rationale for advice and to explain decision making when required.
- Experience of dealing with private and sensitive issues, exercising discretion and maintaining confidentiality of information received.
- Flexibility to deal with urgent requests.
- Aged 18 or over and with a mature and sound temperament

The Independent Person will not be:-

- A Member, co-opted member or employee of the Cambridgeshire and Peterborough Combined Authority or any of the constituent councils; or have held such a post within the previous 5 years.
- A relative or close friend of such a person; or
- An active member of a political party