

Report No.
CSD23051

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **COUNCIL**

Date: **Monday 24 April 2023**

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **APPOINTMENT OF INDEPENDENT PERSONS**

Contact Officer: Philippa Gibbs, Deputy Democratic Services Manager
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Chief Officer: Director of Corporate Services and Governance

Ward: (All Wards);

1. Reason for report

On 22 March 2023, Members of the Standards Committee interviewed two applicants for the post of Independent Person. The interview process was supported by the Monitoring Officer and at the conclusion of the interviews the Committee decided to offer the position of Independent Person to both applicants.

2. **RECOMMENDATION(S)**

1. **That the appointment of Mr Andrew Jackson and Mr Gary Rogers as Independent Persons, for a four-year term until the end of May 2027, be approved.**
2. **That Mr Andrew Jackson and Mr Gary Rogers be co-opted to the Standards Committee in addition to the existing two Independent Persons.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
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Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Excellent Council
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £359k
 5. Source of funding:
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Personnel

1. Number of staff (current and additional): The Monitoring Officer, Deputy Monitoring Officer, Democratic Services Manager and Deputy Democratic Services Manager support the Standards Committee function and liaise with the Independent Person
 2. If from existing staff resources, number of staff hours:
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Legal

1. Legal Requirement: Statutory Requirement: Requirement of the Localism Act 2011
 2. Call-in: Not Applicable:
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Procurement

1. Summary of Procurement Implications: None
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): There is the potential for all 60 Councillors to consult the Independent Person in the event of complaints concerning breaches of the Code of Conduct.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable

3. COMMENTARY

3.1 The statutory role of the Independent Person is as follows:

- They **must** be consulted by the authority before it makes a decision on an allegation of misconduct by a Councillor that it has decided to investigate or before it decides on action to be taken in respect of that Councillor.
- They **may** be consulted by the authority in respect of a standards complaint at any other stage.
- They **may** be consulted by a Councillor or co-opted member against whom a complaint has been made.

3.2 In addition, the Independent Persons

- Attend Standards Committee
- Are consulted on the outcome of the initial filtering of complaints
- Attend interviews for future Independent Persons
- Comment and advise on training for Members in relation to ethical standards.
- Provide input into Member Induction in relation to standards of conduct training.

3.3 Given the potential conflict between the roles, the Standards Committee are of the opinion that it is appropriate for two Independent Persons to be appointed on this occasion.

3.4 On 22 March 2023, Members of the Standards Committee interviewed two applicants for the post of Independent Person. The interview process was supported by the Monitoring Officer and at the conclusion of the interviews Members decided to offer the position to the two applicants, Mr Andrew Jackson and Mr Gary Rogers.

3.5 On 6 December 2021, the Standards Committee appointed Ms Kath Nicholson and Mr Jonathan Farrell as Independent Persons for a four-year term, until May 2026.

3.6 It is being recommended that the Independent Persons are co-opted to the Standards Committee. If Council agree the recommendations, there will be a total of four Co-opted Members (Independent Persons) on the Standards Committee.