

Subject:	Appointment of Independent Person		
Date of Meeting:	26 March 2015		
Report of:	Monitoring Officer		
Contact Officer:	Name:	Oliver Dixon	Tel: 01273 291512
	Email:	oliver.dixon@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report seeks Council's approval for the appointment of a second Independent Person to exercise standards functions prescribed by the Localism Act 2011 and to become a co-opted member of Audit & Standards Committee.

2. RECOMMENDATIONS:

- 2.1 That Council approve the appointment of Diane Bushell as Independent Person and co-opted member of the Audit & Standards Committee; and
- 2.2 That Council note the appointment is made for a period of 4 years, with the possibility of a 2-year extension at the discretion of the Monitoring Officer after consultation with the Chair of Audit & Standards Committee.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Under the Localism Act 2011, the council is required to appoint at least one Independent Person whose views are to be sought in relation to Member Code of Conduct issues.
- 3.2 Specifically, the Act requires that the Independent Person –
- (i) must be consulted, and their views taken into account, before the council makes a decision on any allegation relating to a breach of the Member Code of Conduct it has decided to investigate;
 - (ii) may be consulted by the council in other circumstances related to standards issues, e.g. at the point at which a complaint is received, or more generally regarding ethical issues; and
 - (iii) may be consulted by a Member against whom an allegation of misconduct has been made.
- 3.3 In addition to fulfilling those statutory functions, the Independent Person(s) appointed to this council are co-opted to the Audit & Standards Committee where they play a full part in proceedings but do not vote. A further responsibility is to chair Standards Panel hearings.

- 3.4 Two Independent Persons, Dr David Horne and Dr Lel Meleyal, were appointed in 2012. Following Dr Meleyal's resignation last year, applications were invited to fill her vacancy and a selection panel consisting of Officers and Members conducted an assessment interview. The panel's recommended appointee is Diane Bushell, who has accepted the position subject to Council's approval.
- 3.5 Diane Bushell has a background in international corporate law and risk management, having held senior management roles at several blue chip companies. She specialised in compliance, corporate governance and managing financial and non-financial risks and is experienced in advising boards and audit committees on governance and best practice. Until recently she worked as a university lecturer in a variety of business subjects and she currently volunteers for a number of organisations including the Citizens Advice Bureau and Red Cross. She has an MBA and is a Fellow of the Chartered Institute of Secretaries & Administrators.

4. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 4.1 The Independent Person receives an allowance of £1000 per annum, plus £200 for each Standards Panel hearing he/she chairs. These costs are funded from existing resources.

Finance Officer Consulted: James Hengeveld

Date: 05/02/15

Legal Implications:

- 4.2 The statutory basis for the appointment of Independent Persons is section 28 of the Localism Act 2011. Under s28(8)(c)(iii), the appointment must be approved by full Council.

Lawyer Consulted: Oliver Dixon

Date: 02/02/15

Equalities Implications:

- 4.3 None

Sustainability Implications:

- 4.4 None

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents

None