

Subject:	Appointment of an Independent Person		
Date of Meeting:	28th March 2019		
Report of:	Monitoring Officer		
Contact Officer:	Name:	Abraham Ghebre-Ghiorghis	Tel: 29-1500
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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 an Independent Person, both to exercise standards functions prescribed by the Localism Act 2011 and to become a co-opted member of Audit & Standards Committee.

2. RECOMMENDATIONS

- 2.2 That Council approve the appointment of Helen Aston as Independent Person and co-opted member of the Audit & Standards Committee; and
- 2.3 That Council note that the appointment will be made for a period of 4 years, and further give the Monitoring Officer delegated authority to implement a 2-year extension at his discretion, after consulting with the Chair of Audit & Standards Committee.

3. CONTEXT OF RECOMMENDATIONS

- 3.1 Section 28(7) of the Localism Act 2011 requires the council 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. They are furthermore responsible for chairing any Standards Panel hearing which are convened, again on a non-voting basis.

- 3.4 In March 2015, Diane Bushell was appointed as one of the council's two Independent Persons. When her four year appointment ceases on 25th March 2019, Dr David Horne (whose appointment ceases in October 2020) will be the council's sole remaining Independent Person.
- 3.5 Following Ms Bushell's indication that she would not seek an extension of her term, a recruitment process was initiated. This involved publicly advertising the vacancy so as to meet the requirements of the Localism Act 2011 (specifically S28(8)c of the Act), and also to ensure that the opportunity attracted applicants from a range of sectors and backgrounds. Following an evaluation process, a cross-party panel consisting of the Chair and two other members of Audit and Standards Committee conducted interviews, supported by the Monitoring Officer and Internal Audit.
- 3.6 The Panel was unanimous in selecting Helen Aston as its recommended appointee. Ms Aston has accepted the position subject to the approval of full Council.
- 3.7 Ms Aston is a member of the Board of the Pensions Regulator ('TPR'): an arms-length body of the Department for Work and Pensions. She is TPR's Executive Director of Finance and Operations (previously its Interim Director of Finance): a role which entails responsibilities for the delivery of finance, corporate governance, corporate planning and performance, IT, change management and procurement amongst other functions. She has seventeen years' post-qualification experience as a chartered accountant, initially in the private sector where she trained with PwC LLP (previously Coopers & Lybrand), and is a Fellow of the ICAEW and member of CIPFA. While her professional experience and skillset is considered to be highly relevant to the corporate governance and financial stewardship functions of the Audit & Standards Committee, her role at a local public body has given her an understanding of the Nolan principles. She is enthusiastic about assisting the council in promoting and maintaining high standards of conduct at the council, and in her application highlighted her capacity to challenge stakeholders and colleagues where merited on detailed financial issues, strategic matters and non-financial aspects of the council's delivery of its functions. Ms Aston lives in the city and has articulated the desire to input constructively to the project of ensuring that her local council is effectively governed and run and that it meets its objectives within budgetary limitations.

3. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 3.1 The Council is obliged under the Localism Act to make arrangements for maintaining high standards of conduct among members and to make arrangements for the investigation of complaints. The appointment of at least one Independent Person role is a statutory requirement insofar as the standards function is concerned, while the co-option of two Independent Persons on the council's Audit and Standards Committee is a key element in ensuring that effective governance and stewardship arrangements are put in place and maintained. As a result, no alternative proposals are suggested.

4. COMMUNITY ENGAGEMENT & CONSULTATION

4.1 No need to consult with the local community has been identified.

5. CONCLUSION

5.1 Members are asked to note the contents of this Report, and to agree the recommendation.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

8.1 There are no additional financial implications arising from the recommendation in this Report. All activity referred to has been, or will be, met from existing budgets.

Finance Officer Consulted: James Hengeveld

Date: 14/03/2019

Legal Implications:

8.2 These are dealt with in the body of the Report.

Lawyer Consulted: Victoria Simpson

Date: 13.03.2019

Equalities Implications:

10.3 There are no equalities implications arising from this Report

Sustainability Implications:

10.4 There are no sustainability implications arising from this Report

Any Other Significant Implications:

10.5 None

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms:

None

Background Documents:

None

