

Report of:	Meeting	Date	Item No.
Report of the Chairman of the Standards Committee (Cllr B Birch) and the Monitoring Officer (Michael Ryan)	Council	16 October 2014	11

<b>ETHICAL STANDARDS: APPOINTMENT OF AN INDEPENDENT PERSON</b>
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**1. Purpose of Report**

- 1.1 To enable an independent person to be appointed to meet the requirements of the Localism Act 2011.

**2. Outcomes**

- 2.1 Effective ethical standards arrangements in Wyre.

**3. Recommendation**

- 3.1 That Mr Tony Mozley be appointed as the Council's Independent Person for ethical standards issues, on an interim basis, until a more permanent appointment can be made.

**4. Background**

- 4.1 The Council is required by the Localism Act 2011 to appoint an Independent Person to be involved in the Council's process for dealing with any alleged breaches of the Councillors Code of Conduct by Wyre, Town or Parish Councillors. The Role Description and Person Specification of the Independent Person is attached as Appendix 1. Mr Steven Tivnan was appointed to perform that role at the Council meeting on 6 June 2013. His appointment was intended to be for a three year period but, he has recently had to resign because of work commitments following his transfer to a different job.

## 5. Key Issues and Proposals

- 5.1** No 'reserve' appointment was made in 2013 so, interim arrangements need to be made in the short term. The only practicable option is to obtain the services of someone already performing the role for a nearby Council. Following discussions with other Monitoring Officers, it is proposed that Mr Tony Mozley, who is the current Independent Person for Blackpool Council, be appointed.
- 5.2** The Monitoring Officer will consider and report back as soon as possible on arrangements for a more permanent appointment. His considerations will include discussions with Blackpool and Fylde Councils about the possibility of extending their current joint arrangements, which appear to offer greater certainty and flexibility than a single appointment.

<b>FINANCIAL AND LEGAL IMPLICATIONS</b>	
Finance	No salary is currently paid to the Independent Person but, expenses incurred in travelling to meetings can be claimed. Costs will therefore be met from within existing budgets.
Legal	The proposals made in this report will enable the Council to meet the requirements of the Localism Act 2011 and the regulations made under that Act.

### **OTHER RISKS/IMPLICATIONS: CHECKLIST**

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

<b>Implications</b>	<b>✓ / x</b>
Community Safety	x
Equality and Diversity	x
Sustainability	x
Health and Safety	x

<b>Risks/Implications</b>	<b>✓ / x</b>
Asset Management	x
Climate Change	x
Data Protection	x

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<b>List of Background Papers:</b>		
Name of Document	Date	Where available for inspection
None	-	-

## **LIST OF APPENDICES**

Appendix 1: Role Description and Person Specification.

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**Independent Person: Role Description and Person Specification**

**Role**

The role of the Independent Person is:-

1. To assist the Council in promoting high standards of conduct by elected and co-opted members of Wyre Council and town and parish councillors within the Wyre area and in particular, to uphold the Code of Conduct adopted by the Council and the seven principles of public office, namely: selflessness, honesty, integrity, objectivity, accountability, openness and leadership.
2. To be available for consultation by the Monitoring Officer before a decision is taken on whether or not to investigate a complaint or to seek a resolution of the complaint.
3. To be consulted by the Council through the Monitoring Officer and/or the Standards Committee before it makes a decision on an investigated allegation and to be available to attend meetings of the Standards Committee for this purpose.
4. To be available for consultation by any elected member, including town and parish councillors, who is the subject of a standards complaint.
5. To develop a sound understanding of the ethical framework as it operates within Wyre Council and its town and parish councils.
6. To attend training events organised and promoted by the Council's Standards Committee.
7. To act as an advocate and ambassador for the Council in promoting ethical behaviour.

**Skills and Competencies Required**

The independent person the Council wishes to appoint to this role will have a range of skills and competencies, including:-

- an interest in standards in public life;
- an awareness of the importance of ethical behaviours;
- a wish to serve the local community and uphold local democracy;

- the ability to be objective, independent and impartial;
- good analytical skills and an ability to demonstrate clarity of thought, assimilate information quickly and arrive at balanced judgements.
- an understanding of the need to comply with confidentiality requirements;
- a demonstrable interest in local issues;
- an ability to communicate clearly, verbally and in writing with various people and in a variety of different situations.
- tact and diplomacy in handling sensitive matters.

Ideally, that person will also have:-

- some knowledge and/or experience of local government or other public service and/or of large complex organisations and awareness of and sensitivity to the political process;
- knowledge and understanding of judicial quasi-judicial or complaints processes.

The person appointed will need to be contactable during normal working hours by telephone or by e-mail and be available to attend meetings of the Standards Committee, which are generally held in the early evening, and occasional hearings which may held in the day time.

### Eligibility

A person cannot be appointed as an Independent Person if they are, or have within the last 5 years, been an elected Councillor, a co-opted member or officer of Wyre Council; or any town or parish Council within the Wyre area or, is a relative or close friend of any such person.