

Report to: Full Council

Date of Meeting: 13th July 2022

Report Title: Appointment of Independent Persons

Report By: Mary Kilner, Chief Legal Officer and Monitoring Officer

Purpose of Report

To appoint two Independent Persons to assist the Standards Complaints Process and any disciplinary hearing against any of the Statutory Officers.

Recommendation(s):

1. To renew the appointment of John Baker and Amanda McIntyre as Independent Persons for a further three-year term from 1st November 2022 to 31st October 2025.

Reasons for Recommendations

The Localism Act 2011 requires the Council to appoint at least one Independent Person to assist with the Standards process. Further, changes in employment legislation requires an Independent Person to be involved in any disciplinary action against any of the three statutory officers, those being the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.

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1. At the Council meeting of 21 June 2012 the Council considered a report on the proposed new arrangements relating to the Member's Code of Conduct as required by the Localism Act 2011. This includes the requirement to appoint at least one Independent Person.
 2. Council recommended that two Independent Persons should be appointed in case of non-availability or a conflict of interest.
 3. The current Independent Persons, John Baker and Amanda McIntyre, were appointed by Full Council on 18th October 2017 for a five-year term from 1st November 2017 to 31st October 2022.
 4. The Localism Act requires that the views of the Independent Person must be sought on a complaint referred for investigation before the outcome of the complaint is determined. The councillor who is subject to the complaint may discuss the matter with the Independent Person who will provide support and advice on the process. The Independent Person's view would also be sought in relation to any sanction imposed on a councillor found to be in breach of the member's Code of Conduct.
 5. Failure to appoint an Independent Person would mean that the Council could not fulfil its statutory duties and complaints against councillors could not be dealt with. Independent Persons are also required to be involved in the process of any disciplinary hearing against the Council's statutory officers.
 6. The Council would like to appoint John Baker and Amanda McIntyre for a further three-year term from 1 November 2022 to 31 October 2025 and would like to thank them both for their work and support as Independent Persons during their first term.

Wards Affected

none

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness
Crime and Fear of Crime (Section 17)
Risk Management
Environmental Issues
Economic/Financial Implications
Human Rights Act
Organisational Consequences

Local People's Views
Anti-Poverty

Officer to Contact

Officer Name Mary Kilner

Officer Email Address mary.kilner@hastings.gov.uk

Officer Telephone Number 01424 451728
