

**COUNCIL MEETING – 6TH JULY 2023**

**AGENDA ITEM 5 (3)**

**APPOINTMENT OF INDEPENDENT PERSON FOR STANDARDS**

A report from the meeting of the Corporate Governance, Audit and Standards Committee held on 1st June 2023

**SUMMARY AND RECOMMENDATION**

This report recommends an appointment to the role of Designated Independent Person (DIP) (Standards) for Rushmoor. This is a role which is required under the Localism Act 2011 to assist the Council in promoting and maintaining high standards of conduct amongst its elected Members. A copy of the role description is attached as Appendix 1.

**It is RECOMMENDED that** the Council

- (1) approve the appointment of Mr Matt Smith as the Council's Designated Independent Person (DIP) for a three-year term from July 2023.
- (2) place on record its thanks to Mrs Mary Harris for her five years' service as the Independent Person for Standards between 2018 and 2023.

**1. BACKGROUND**

- 1.1 In March 2018, Mrs Mary Harris was appointed as the Council's Designated Independent Person for a three-year term from 2018/19 to 2020/21, followed by a two-year extension to May 2023. Having served five years, and to preserve the independence of the role, it is now timely to appoint a new candidate to the position.
- 1.2 The Statutory functions of the DIP are: -
  - They must be consulted by the Authority before it makes a finding as to whether a Member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that Member.
  - They may be consulted by the Authority in respect of a standards complaint at any other stage; and

- They may be consulted by a Member or co-opted member of the Council against whom a complaint has been made.

1.3 A person is considered not to be “Independent” if: -

- He/she is, or has been within the last five years, an elected or co-opted member or an officer of the Council.
- He/she is, or has been within the last five years an elected or co-opted member of any Committee or Sub-Committee of the Council; or
- He/she is a relative or close friend of a current elected or co-opted member or officer of the Council.

1.4 There is no payment for the role, however a small annual retainer allowance is paid which is the same amount allowed for a co-opted committee member (currently £550 per annum). This reflects the need for the Independent Person to maintain up to date knowledge, attend training and to be available to the Council as and when required.

1.5 Since the adoption of the current standards regime arising from the Localism Act and the last review of the Code of Conduct for Members, there have been very few conduct related complaints and the call on the DIP has been very minimal.

## 2. **APPOINTMENT PROCESS**

2.1 In accordance with the requirements, applications for the position of Independent Person (Standards) were invited by public advertisement through the Council’s job vacancy webpages, recruitment websites and through social media promotion during April/May 2023. Four eligible candidates were invited to an interview on Thursday 25th May, and three candidates were interviewed by a Panel which comprised the Chairman of the Corporate Governance, Audit and Standards Committee, the Leader of the Labour Group, the Executive Director & Monitoring Officer, and the Corporate Manager – Democracy.

2.2 On 1st June, the Panel’s recommendations were reported to, and endorsed by, the Corporate Governance Audit and Standards Committee when it was agreed that Mr. Matt Smith be recommended for appointment as the Designated Independent Person for Standards for a three-year term, subject to the approval of the Council. All Members were canvassed to confirm that there are no close family/friend connections with Mr. Smith.

### **Candidate Details**

2.3 Mr. Matt Smith is currently a Head of Service for a large Housing Association with 20 years’ experience working for Housing Associations in the public sector, preceded by eleven years’ experience working for local authorities. During this

time, Mr Smith has built significant experience in investigating issues, and has led in numerous HR investigations including disciplinaries, grievances and formal consultation meetings. Mr Smith also has qualifications in life coaching and mentoring and is a member of the Association for Coaching. He has lived in and around the Rushmoor area for most of his life and has a keen interest in public life having been involved with several community organisations and projects over the years.

### 3. **CONCLUSIONS**

- 3.1 The Council has followed the provisions laid down by the Localism Act to appoint an Independent Person for Standards. Subject to the Council's approval, arrangements will be made for the Independent Person Mr Matt Smith to meet periodically with the Monitoring Officer and support the Council to promote high standards of conduct. It is also open to the Council to call on a neighbouring authority's Independent Person in the case of a conflict of interest, e.g., the circumstances of a complaint are linked to a housing association.

P.J. CULLUM  
CHAIRMAN OF THE CORPORATE GOVERNANCE  
AUDIT AND STANDARDS COMMITTEE

**ROLE OF INDEPENDENT PERSON (STANDARDS) – RUSHMOOR BOROUGH COUNCIL**

**ROLE DESCRIPTION**

Responsible to: The Council

Liaison with: Monitoring Officer, Deputy Monitoring Officers, Corporate Governance, Standards and Audit Committee, Officers and Members of the Council and key stakeholders within the community.

1. To assist the Council in promoting high standards of conduct by elected and co-opted members of Rushmoor Borough Council 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 consulted by the Council through the Monitoring Officer as part of an initial assessment of a complaint that a councillor has failed to comply with the Code of Conduct, before a decision is taken as to whether to carry out an investigation or that other action should be taken e.g., informal resolution.
3. To be consulted by the Council through the Monitoring Officer and/or via a Standards Hearing before it makes a finding as to whether a member has failed to comply with the Code of Conduct or decides on action to be taken in respect of that member.
4. To be available to attend meetings of a Standards Hearing Panel appointed by the Corporate Governance, Audit and Standards Committee.
5. To be available for consultation by any elected member, who is the subject of a standards complaint.
6. To develop a sound understanding of the ethical framework as it operates within Rushmoor Borough Council.
7. To participate in training events to develop skills, knowledge and experience and in networks developed for Independent Persons operating outside the Borough Council's area.
8. To attend training events organised and promoted by the Council's Corporate Governance, Audit and Standards Committee.
9. To act as advocate and ambassador for the Council in promoting ethical behaviour.