


<p>Non-Executive Report of the:</p> <p>Standards (Advisory) Committee</p> <p>24th November 2015</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Director of Law, Probity & Governance</p>	<p>Classification: Unrestricted</p>
<p>Recruitment of an Reserved Independent Person</p>	

Originating Officer(s)	Matthew Mannion, Committee Services Manager
Wards affected	N/A

Summary

A discussion item for Members of the Standards (Advisory) Committee to consider and offer views on whether recruitment of a new Reserve Independent Person is required for the Standards (Advisory) Committee.

Recommendations:

The Standards (Advisory) Committee is recommended to:

1. Consider and note the discussions at the meeting.

1. REASONS FOR THE DECISIONS

- 1.1 This report is for discussion only and no specific decisions are required.

2. ALTERNATIVE OPTIONS

- 2.1 Not applicable.

3. DETAILS OF REPORT

- 3.1 The Standards (Advisory) Committee agreed to recommend to the Council that an Independent Person and a Reserve Independent Person should be appointed. It was noted that the purpose of appointing a Reserve Independent Person was to ensure that the necessary advice is available on all matters, including when the Independent Person is unable to act for any reason.
- 3.2 An Independent Person may be consulted by a member or co-opted member of the Council against whom a complaint has been made. It would be inappropriate for an Independent Person who has been consulted by the member against whom the complaint has been made, and who might as a result be regarded as prejudiced on the matter, to be involved in the advisory role at the investigations stage of that complaint.
- 3.3 The Localism Act 2011 gives discretion to appoint one or more Independent Persons, but provides that each Independent Person must be consulted before any decision is taken on a complaint which has been investigated. Accordingly, there would appear to be little advantage in appointing more than one Independent Person or the process will be unwieldy. The Standards Advisory Committee therefore agreed that a Reserve Independent Person should be appointed who can be consulted in the event that the Independent Person is unable to discharge the function for any reason.
- 3.4 The Standards (Advisory) Committee on 12th July 2012 agreed a process for recruitment of an Independent Person and Reserve Independent Person. Following this process, Council on 26th June 2013 made the following appointment to:
- Reserve Independent Person:-** That **Ms Ezra Zahabi** be appointed as Reserve Independent Person with effect from 1st July 2013 for a term of office of three years.
- 3.5 Ms Ezra Zahabi, has now notified Officers of her resignation from the position of Reserve Independent Person in October 2015.
- 3.6 Members of the Committee are to now discuss whether a new recruitment to a Reserved Independent Person is required.

- 3.7 As stated above a Reserved Independent Person is only required when the Independent Person is unable to discharge their duties. It is to be noted that Ms Ezra Zahabi has not been called for any duties during her term of office.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 This is a discussion paper and there are no financial implications arising from it.

5. LEGAL COMMENTS

- 5.1 The requirement to appoint at least one independent person is in Section 28(7) of the Localism Act 2011. The appointment of a Reserve Independent Person will ensure that the Council fulfils its statutory duty at all times.
- 5.2 As this is a report of the Director of Law, Probity and Governance other relevant legal considerations are contained in the body of the report and in the role description for the post at Appendix 1.
- 5.3 There are no other immediate legal implications arising from this report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 N/A

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 N/A

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 N/A

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 N/A

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 N/A

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 - Independent Person – Job Description/Job Specification

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- None
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Officer contact details for documents:

- N/A