

REPORT OF CITY SOLICITOR

**TO
COUNCIL**

**ON
18TH NOVEMBER 2020**

TITLE: Appointment of Independent Persons

RECOMMENDATIONS:

Council is recommended to:

1. Note the report.
 2. Approve the appointment of Ms Donna Allen as Independent Person for Salford City Council for an initial term of four years.
 3. Thank Mr Jonathan Storey as outgoing Independent Person for his commitment to the role and assistance to the current and former Monitoring Officers in considering allegations of breaches of the Code of Conduct for Members.
 4. Approve the continuation of the current appointment of Shazia Nazir and Caroline Wolfenden as Independent Persons for Salford City Council until such time as a new second Independent Person is recommended for appointment.
 5. Note that a further advertising and recruitment exercise for the role of Independent Person will be initiated to allow a recommendation to be presented for approval at a future meeting of full Council.
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EXECUTIVE SUMMARY:

The purpose of this report is to update full Council on the recent advertising and recruitment exercise for two Independent Persons for Salford City Council and to seek the approval of full Council to appoint Ms Donna Allen as Independent Person and to continue the current appointment of Shazia Nazir and Caroline Wolfenden as Independent Persons until such time as a new second Independent Person is recommended for appointment.

BACKGROUND DOCUMENTS:

Council Constitution as published.

Council Report - 18th July 2012 The Localism Act 2011 New Code of Conduct for Members and Arrangements to Deal with Complaints

Localism Act 2011

Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

Council Report-17th July 2019 Appointment of Independent Persons

Standards Committee Report 30th July 2020

KEY DECISION: NO

DETAILS:

Under the provisions of the Localism Act 2011, the way that the Council maintains high standards of conduct and deals with complaints about its elected members requires the appointment of an Independent Person.

The Localism Act provides that the Independent Person is to be consulted by the Council before a decision is made on an allegation that it has decided to investigate. Their views may also be sought on other matters such as the granting of dispensations and by Members (elected or co-opted) who are the subject of an allegation. A further part of the role is to be part of the Panel to advise the full Council in relation to the dismissal of the Head of Paid Service, the Monitoring Officer or the Chief Finance Officer ('relevant officers') as required by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

It is considered important to have more than one Independent Person that can be called upon to assist the Council with Standards matters and to increase resilience and the Committee on Standards in Public Life recommended in its January 2019 report on local government ethical standards that 'Local authorities should have access to at least two Independent Persons.'

Shazia Nazir was appointed as an Independent Person for Salford City Council in July 2016 and has served for a period of 4 years. On the 17th July 2019 Council approved the appointment of Caroline Wolfenden and Jonathan Storey to act as Independent Persons for a period of one year.

Legislation permits the appointment of Independent Persons for any period but appointments for three or four years are common practice and avoid the cost and use of resources in making yearly appointments which have to be approved via Full Council under the requirements of The Localism Act (the Act').

In order to save public money but still comply with recommendation from the Committee on Standards in Public Life, the Standards Committee agreed at its meeting on 30th July 2020 to recommend the appointment of two rather than three Independent Persons as this should still provide sufficient resilience. It is suggested that the new appointments should be for a period of four years to provide

consistency. It is also recommended that the maximum number of terms for the Independent Persons should be two.

The two positions of Independent Person were advertised publicly in September. Shortlisting and interviews followed in October, conducted by a panel consisting of the Deputy Monitoring Officer, Manchester City Council's Head of Governance and a current Independent Person for Blackburn with Darwen and Manchester City Councils.

The interview panel is pleased to recommend Ms Donna Allen for appointment as an Independent Person for Salford City Council.

Ms Allen is a recently retired Police Superintendent with Greater Manchester Police and led a large and complex area of command within GMP, strategic alliances and partnerships. As her career progressed she contributed to the development of culture, climate and working processes within GMP to ensure adherence to high standards, and the promotion of accountability and continuous improvement.

In her most recent roles within GMP she was a Silver Commander responsible for co-ordinating the local, regional and national police response to the Manchester Arena suicide bomb attack. Prior to that she was responsible for an Investigation & Safeguarding Detective Review of working practices of detectives across the force. As Borough Commander of Tameside Division she was responsible for the setting of strategy and standards across the division with 400 uniform, detective and police staff.

Since retiring, Ms Allen works in a voluntary capacity at the Maggie's Centre within the Christie Hospital assisting at large fundraising events with planning and logistics. This role also involves the administration of donations received at the Centre. She also works seasonally for The National Trust at Dunham Massey as the Property Operations Event Manager for their Christmas Lights event. Her previous role there has included Property Event Manager, co-ordinating a range of key property project.

Mr Storey has accepted the position of Chair of the Standards Committee and the Standards Committee would like to take this opportunity to thank him on behalf of full Council for his commitment and the assistance he has provided as Independent Person to the current and former Monitoring Officers in considering allegations of breaches of the Code of Conduct for Members.

At this stage it is not possible to recommend to full Council an appointment to the second position of Independent Person. We shall initiate a further advertising and recruitment exercise in due course and present a recommendation for approval at a future Council meeting.

Council is therefore asked to approve the continuation of the current appointment of Shazia Nazir and Caroline Wolfenden until such time as a new second Independent Person is recommended for appointment.

KEY COUNCIL POLICIES:

Independent Persons as part of the standards regime, are responsible for embedding compliance with The Code of Conduct which is included in our Constitution. The Constitution sets out the governance framework for local authorities, which provides the foundations for any local authority that aspires to be effective, progressive and successful.

EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS:

The recruitment process has been, and will continue to be, subject to the Council's equal opportunities, recruitment and selection policies

ASSESSMENT OF RISK:

Candidates for both positions were, and will continue to be, subject to a robust shortlisting and interview process to ensure that they have the relevant skills and experience to successfully carry out their roles.

LEGAL IMPLICATIONS:

The Legal background to appointment of independent members is set out in the body of the report.

FINANCIAL IMPLICATIONS Supplied by:

Source of funding: Members Revenue Budget

In accordance with the Constitution the annual allowance entitlements for each Independent Person are as follows:

An annual allowance of £408.44 plus an additional £57.00 per half day attendance and £114.00 for a full day.

The recommendation from the Standards Committee to appoint 2 rather than 3 Independent Persons results in a saving of £408.44 per year, making a total saving of £1,633.76 over a four year term.

PROCUREMENT IMPLICATIONS Supplied by: n/a**HR IMPLICATIONS Supplied by: Sam Betts**

The recruitment process has been, and will continue to be, in line with the Council's approach to recruitment and selection and carried out in a fair, lawful, transparent and safe manner.

CLIMATE CHANGE IMPLICATIONS Supplied by: n/a

OTHER DIRECTORATES CONSULTED: n/a

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WARDS TO WHICH REPORT RELATES: ALL