



Report for:	Council
Title of report:	Appointment of Independent Person and Independent Member
Date:	12 July 2023
Report on behalf of:	Leader of the Council, Councillor Ron Tindall
Part:	I
If Part II, reason:	N/A
Appendices:	none
Background papers:	none
Glossary of acronyms and any other abbreviations used in this report:	none

Report Author / Responsible Officer

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Corporate Priorities	A clean, safe and enjoyable environment Building strong and vibrant communities Ensuring economic growth and prosperity Providing good quality affordable homes, in particular for those most in need Ensuring efficient, effective and modern service delivery Climate and ecological emergency
Wards affected	All
Purpose of the report:	1. To recommend the appointment of an Independent Person pursuant to the Localism Act, who must be consulted when the Council is dealing with standards

	complaints and to recommend the appointment of an Independent Member to the Standards Committee.
Recommendation (s) to the decision maker (s):	That Council: 1. Appoints Michael Browne as the Council's Independent Person for a term of four years. 2. Appoints Susan Johnson as an Independent Member of the Standards Committee for a term of four years. 3. That Council agrees to minute its gratitude to Susan Johnson for the time she has committed to the role of Independent Person over the last four years and for her exercise of sound judgement in performing the role.
Period for post policy/project review:	The appointments will be reviewed after the end of the 4 year term.

1 Introduction/Background:

- 1.1 The Localism Act requires the Council to appoint an 'Independent Person' whose views have to be sought, and taken into account, when considering a complaint against a councillor that they have breached the Code of Conduct for Councillors.
- 1.2 The Standards Committee also appoints two Independent Members (with no voting rights) who are members of the public and advise the Standards Committee on any complaints which come before it for determination.
- 1.3 In accordance with the Localism Act, the role of Independent Person was advertised and three applications were received before the closing date. Unfortunately before the interviews took place one candidate withdrew as he secured an offer of employment with the Council which prevents the individual being considered for appointment.
- 1.4 The advert was open and allowed applicants to apply for both the Independent Person and Independent Members roles. On 26th May 2023 the two remaining candidates were interviewed by a panel consisting of Councillor Jonathan Gale, Chairman of the Standards Committee, Mark Brookes, Assistant Director, Legal and Corporate Services and the Monitoring Officer and Adelle Stapleton, Principal Lawyer and Deputy Monitoring Officer. It will be noted that one of the candidates was Susan Johnson who is the Council's current Independent Person.
- 1.5 After carefully evaluating the respective experience and knowledge of the two candidates, the panel decided to recommend to Council that Michael Browne be appointed to the role of Independent Person for a term of four years and Susan Johnson be appointed as Independent Member for a term of four years.
- 1.6 Michael Browne currently lives in Berkhamsted and has previously lived in the old Town Hemel Hempstead for 12 years and has a good knowledge of the borough. Michael is a Communications and Public Relations professional and has worked in a number of organisations including the Health Foundation, the Law Society and District, County and London Boroughs including working for Dacorum Borough Council for 12 years between 1990-2002.

- 1.7 Mr Browne has experience of chairing Professional Practices Committees of the Chartered Institute of Public Relations which had responsibility for overseeing the Code of Conduct for the Chartered Institute of Public Relations, and the assessment panel believe that Mr Browne's knowledge and experience will be of great benefit to the Independent Person role.
- 1.8 Mr Browne is an inactive Member of the Labour Party but has never attended a party meeting or stood for election. The assessment panel were satisfied that the Labour party membership did not and would not prevent Michael from acting impartially and in the best interests of the Council.
- 1.9 As stated above Susan Johnson is the Council's current Independent Person and has performed that role utilising her wealth of experience and judgement over the last four years. General guidance is that Independent Persons should not continue the role for more than one term if possible but Susan has expressed a willingness to act in the different role of Independent Member where she can continue to utilise the experience gained to date.
- 1.10 Mrs Johnson commenced her working life starting in the London Borough of Tower Hamlets and then the Greater London Council. Mrs Johnson was also the clerk to Tring Town Council from 1989 until her retirement in 2010. She has also assisted on a temporary consultancy basis both Tring and Berkhamsted Town Council between 2012 and 2016
- 1.11 Mr Brown and Mrs Johnson both demonstrated their independence and commitment to upholding standards across the borough and are therefore recommended for appointment.
- 1.12 The Constitution does require that the Council appoints two Independent Members but as there were insufficient applicants the role is currently being re-advertised and the Standard's Committee will continue with one vacancy until the position is filled and approved by Council.

2. Financial and value for money implications:

- 2.1 There are no financial implications. Both roles are voluntary roles with ability for claims for travelling and subsistence expenses only.

3 Legal Implications

- 3.1 The Council is required by the Localism Act to appoint an Independent Person, and by the Council's Constitution to appoint two Independent Members. The roles provide a vital function and assist the Council in upholding the standards and behaviours as set out in the Code of Conduct.

4. Risk implications:

- 4.1 Failure to appoint an Independent Person will put the Council in breach of its legislative requirements and mean that it cannot consider councillor complaints in accordance with the Standards Complaints Procedure.

5 Equalities, Community Impact and Human Rights:

- 5.1 There are no Equalities, Community Impact or Human Rights implications arising from this report.

6 Sustainability Implications

- 6.1 There are no Sustainability Implications arising from this report.

7 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

- 7.1 There are no implications arising from this report.

8 Statutory Comments

Monitoring Officer:

This is a report of the Monitoring officer and comments are included in the report.

S151:

There are no financial implications relating to these proposals.

9. Conclusions:

9.1 Council is recommended to agree the appointments of Michael Browne as Independent Person and Susan Johnson as Independent Member as set out in the report.