

TELFORD & WREKIN COUNCIL

STANDARDS COMMITTEE – 21ST APRIL 2009

INDEPENDENT MEMBERSHIP OF STANDARDS COMMITTEE – MR A SIMPSON

REPORT OF HEAD OF LEGAL SERVICES AND MONITORING OFFICER

1. PURPOSE

To obtain a recommendation from the Standards Committee for the Council in respect of whether or not to re-appoint Mr Andy Simpson as an Independent Member of the Standards Committee.

2. RECOMMENDATIONS

2.1 That the Committee make a recommendation to the Council as to whether Mr Andy Simpson is re-appointed as an Independent Member of the Telford & Wrekin Council Standards Committee and if so to recommend the length of the term of office.

3. SUMMARY

Mr Andy Simpson, the current Chair of the Standards Committee, is approaching the end of his second term of office as an Independent Member of the Standards Committee. A decision needs to be made as to whether or not Mr Simpson is to be reappointed. This decision rests with the Council.

4. PREVIOUS MINUTES

Standards Committee – 18 December 2008 (ST – 20)

5. INFORMATION

5.1 Background

On the 18 December 2008 this Committee was provided with a report containing details of the terms of office of all Independent Members of this Committee. The report showed that Mr Andy Simpson, the current Independent Chair of this Committee was reaching the end of his term of office at the conclusion of this municipal year. Mr Simpson was initially appointed as a Lay Member of the Committee in 1999 and is the longest serving Independent Member of the Committee. In order for Mr Simpson to continue his membership of the Committee, he will need to be re-

appointed. As the appointment of Independent Members is the role of the Council, this will have to be decided by a majority of Members, ideally at a full Council meeting.

It has been long established now that this Committee makes recommendations to the Council in respect of the appointments of Independent Members of the Committee. Accordingly, in this instance, it is suggested that this Committee may wish to make a recommendation to the full Council as to whether or not Mr Simpson should be re-appointed or whether the Committee should undertake a recruitment exercise to appoint a new Independent Member of the Committee.

Standards Board guidance issued in August 2008 states – “your Authority decides how to select Independent Members and how long an Independent Member should sit on the Committee. We recommend that you set a fixed period of four years. This will be long enough for them to gain an understanding of the Committee, the Authority and its workings but no so long as they could be perceived as losing their independence. When re-appointing an Independent Member you should bear in mind that we recommend that Independent Members should serve no longer than two terms, which is a maximum of eight years. It may be helpful for Independent Members to be appointed for differing lengths of time so that experience they gain is not all lost simultaneously” (extract from “The Role and Make-Up of Standards Committees” issued by the Standards Board for England). However, these recommendations are not a legal requirement and, as mentioned in the guidance, it is very much a matter for the Standards Committee to decide whether or not an Independent Member should serve longer than the fixed term. In considering this decision the Committee may wish to bear in mind the involvement which Mr Simpson has had with the Committee since 1999, any experience which he has gained which would give benefit to the Committee, and also whether or not the Committee believe that Mr Simpson can undertake a further term of office as truly independent from the organisation something which will require the Committee to consider Mr Simpson’s involvement with Telford & Wrekin Council during his period of appointment so far.

The Committee can recommend a new term of office of four years or decide on a different time period. For example, if the Committee decides to review generally the number and terms of office of independent members following receipt of this report it may be appropriate to re-appoint Mr. Simpson for a shorter time period whilst that review is undertaken.

5.2 Equality Opportunities

In the event that the Council are required to recruit a new Independent Member, every effort will be made to insure that the recruitment process is fair and accessible to all.

5.3 Environmental Implications

None

5.4 Legal Comment

The Terms of Reference of the Standards Committee state that there shall be four Independent Members of the Committee. If Mr Simpson ceases to be a Member of the Committee then another Independent Member will have to be recruited and appointed. There is a legal requirement to have an Independent Chair of the Standards Committee and independent membership of at least 25% of the entire Committee.

As mentioned in the report, the terms of office of Independent Members of the Standards Committee is something for the Council to decide upon.

5.5 Links with Corporate Priorities

Ensuring that there is a Standards Committee which meets legal requirements in terms of its independent membership and also ensures that Independent Members are sufficiently trained and knowledgeable to undertake their tasks as Members of the Committee helps the Council achieve its priority of being an efficient, effective and customer focused Council that delivers value for money for the community. .

5.6 Opportunities and Risks

The opportunities and risks associated with either re-appointing Mr Simpson or seeking a new Independent Member of the Committee have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

5.7 Financial Implications

Members allowances are set by an independent review process, the most recent review being approved by Council in September 2008, and funding is allocated as part of the Council's revenue budget. The Independent Chairman of the Standards Committee receives an allowance of £7,769 p.a. and Standards Co-optees receive £512 p.a. as part of the remuneration scheme.

6. WARD IMPLICATIONS

District wide implications

7. BACKGROUND PAPERS

Local Government Act 2000

The Standards Board for England Guidance “The Role and Make-Up of Standards Committees”

End of Report

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