

Meeting: Council
Date: 20th March 2025
Classification: Part 1
Key Decision: No
Title of Report: Appointment of Independent Persons to Southend-on-Sea City Council

Executive Director: Claire Shuter, Executive Director for Strategy and Change
Report Author: Susan Zeiss, Director of Legal Services and Monitoring Officer
Executive Councillor: Cllr Kevin Robinson, Chair of Standards Committee

1. Executive Summary

- 1.1. This report seeks Council approval for the appointment of three Independent Persons to the Standards Committee.
- 1.2. The Localism Act 2011 requires all local authorities to appoint at least one Independent Person whose views are sought, and taken into account, by the Council before it makes a decision on any allegations of misconduct, against a councillor. The Independent Person is a statutory role with the purpose of assisting the Council in promoting high standards of conduct by elected, appointed and co-opted Members of Southend-on-Sea City Council and of Leigh-on-Sea Town Council.
- 1.3. In addition to being a statutory requirement, the Independent Person provides a vital, external, independent view.
- 1.4. Best practice is for Independent Persons to be appointed for a fixed term of four years. This report recommends appointment of the three successful candidates to the positions of Independent Person.

2. Recommendations

It is recommended that:

- 2.1. The Council appoint, Mrs Julia Tetley, Dr Roderic Gray and Mr Robert Hammond as the Council's Independent Persons for the purposes of section 28 of the Localism Act 2011 to commence from 1st April 2025 for a term of up to 48 months.

- 2.2. Mrs Julia Tetley draws from a wealth of experience as a current Independent Person for Southend-on-Sea City Council understanding the nature and importance of this role. Furthermore Ms Tetley served as a Magistrate in the Magistrates Court for 33 years, a role which requires the application of judgment, impartiality and confidentiality,
- 2.3. Mr Robert Hammond a retired Senior Civil Servant is recommended as a new Independent Person bringing experience of operating at senior levels in the public, charity and not for profit sector. Mr Hammond brings to the role experience of developing, implementing and monitoring codes of conduct and behaviours,
- 2.4. Dr Roderick Gray is also recommended as a new Independent Person and brings with him a wealth of knowledge and experience having served as a college Governor for 25 years and as a charity trustee for 20 years, as well as undertaking a role of link Governor for Equality Diversity and Inclusion, Higher Education and Adult skills. In addition, Dr Gray has prepared and presented Employment Tribunal cases.

3. Background

- 3.1. On 18th November 2024 Standards Committee approved the commencement of a recruitment process for three Independent Persons (minute no 32).
- 3.2. In accordance with the agreed process and statutory requirements the roles were advertised and closed on 31st January 2025.
- 3.3. A total of 23 applications were received and following longlisting and shortlisting 7 were invited for interview.
- 3.4. The panel for conducting interviews with shortlisted candidates was drawn from the Standards Committee and appointed on 6th February 2025 in accordance with the process agreed on 18th November 2024.
- 3.5. Interviews took place, in person, on 3rd and 5th March 2025 with an interview panel consisting of Cllrs Robinson, Nadeem and Buck and advised by the Monitoring/Deputy Monitoring Officer.
- 3.6. Based upon the applications submitted and the performance at interview the Standards Committee interview panel agreed that Mrs Julia Tetley, Dr Roderic Gray and Mr Robert Hammond be recommended for appointment as Independent Persons by Council.

4. Reasons for Decisions

- 4.1. The appointment of Independent Persons will enable the Council to meet its statutory duty pursuant to the Localism Act 2011.

5. Other Options

- 5.1. To appoint fewer than 3 Independent Persons – this is not recommended. It is considered that by having 3 appointed Independent Persons the Council has greater capacity and resilience to deal with necessary business.

6. Financial Implications

- 6.1. The agreed amount of allowance for Independent Members is £1,300 per person per annum together with reasonable expenses for attendance at committees, panels and meetings. This report recommends the appointment of three independent members, previously two which amounts to an additional £1,300 per annum plus reasonable expenses and will be funded from the existing members allowance budget,

7. Legal Implications

- 7.1. The Council is legally required pursuant to s28(7) of the Localism Act 2011 to appoint at least one Independent Person in respect of its arrangements for considering councillor conduct matters. The Independent Person's "views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate".
- 7.2. The Localism Act further stipulates that a person cannot be appointed as an Independent Person, who is a member, co-opted member, or officer of the authority, or a relative, or close friend, of such member, co-opted member or officer of the authority. Further a person cannot be appointed if within the previous 5 years, they have been a member, co-opted member or officer of the authority.
- 7.3. To be lawful the appointment must be approved by a majority of the Council's Members.
- 7.4. The recommendations within this report are lawful in accordance with the Council's statutory obligations and constitution.

8. Policy Context

- 8.1 None

9. Carbon Impact

- 9.1 None

10. Equalities

10.1. The Council is required pursuant to section 149 of the Equality Act to have due regard to the Public Sector Equality Duty when making decisions and setting policies.

10.2. Southend-on-Sea City Council is committed to equality, diversity and inclusivity.

11. Consultation

11.1. The Standards Committee have been notified of the recommendations being made to Full Council in respect of the appointment of the Independent Persons.

12. Appendices

12.1. None

13. Report Authorisation

This report has been approved for publication by:		
	Name:	Date:
Executive Director(s)	Claire Shuter	10 th March 2025
S151 Officer	Pete Bates	10 th March 2025
Monitoring Officer	Susan Zeiss	10 th March 2025
Relevant Cabinet Member(s) and Chair of Standards	Cllr K Robinson	10 th March 2025.