



Report of the Assistant Chief Executive (Corporate Governance)

Council

Date: 21st May 2009

Subject: Appointment of additional Independent ,reserve Independent and Parish Members of Standards Committee

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. The purpose of this report is to recommend that the Council appoint Mrs J Austin to the role of Independent Member of the Standards Committee, and Councillor P Cook to the role of Parish Member, with effect from 21st May 2009. The report also recommends that the Council appoint Mr G Tollefson as a reserve Independent Member until the Annual Meeting in 2010 (or earlier should a vacancy arise), when he would become a full independent Member with a four year term in order that he can fill the vacancy for an independent member left by Mr M Wilkinson when his final term of office expires. Finally, the report recommends that the Council reappoint Councillor Mrs Walker to the role of Parish Member for a further term, as her current term of office expires at the Annual Meeting this year.
2. Following the full Council meeting on 22nd April 2009 and the amendments agreed to Article 9 of the Council's Constitution, the Standards Committee currently has two vacancies for elected Members of Leeds City Council, one additional Parish Member and one additional Independent Member. Therefore during the next municipal year the Standards Committee will be comprised of seven elected Members (three from the largest political groups and four others), three Parish Members (who are not also Members of Leeds City Council) and four Independent Members.
3. Members are recommended to:
 - appoint Mrs J Austin to the role of Independent Member until the Annual Meeting in 2013;
 - appoint Mr G Tollefson to the role of reserve Independent Member until the Annual Meeting in 2010 or earlier should a vacancy arise when he will then become a full Independent Member for a four year term;
 - appoint Councillor P Cook to the role of Parish Member until the Annual Meeting in 2013; and

- reappoint Councillor Mrs P Walker to the role of Parish Member until the Annual Meeting in 2013.

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to recommend that the Council appoint Mrs J Austin to the role of Independent Member of the Standards Committee, and Councillor P Cook to the role of Parish Member, both with effect from 21st May 2009. The report also recommends that the Council appoint Mr G Tollefson as a reserve Independent Member until the Annual Meeting in 2010, in order that he can then be appointed as the Independent Member to fill the vacancy for such a Member left by Mr M Wilkinson when his final term of office expires. Finally, the report recommends that the Council reappoint Councillor Mrs Walker to the role of Parish Member for a further term, as her current term of office expires at the Annual Meeting this year.

2.0 Background Information

Independent Member position

- 2.1 Applicants for the position of Independent Member were asked to submit an application form, and applicants were then shortlisted against a role description which highlights essential and desirable criteria. Five candidates were shortlisted for this position and interviewed by a panel comprised of the Assistant Chief Executive (Corporate Governance) and the Chair of the Standards Committee.
- 2.2 Interview candidates were also asked to sign a form to confirm that they comply with the following requirements (some of which are set out in the relevant legislation):
- You have not been a member or employee of Leeds City Council within the five years before the date of appointment.
 - You are not a current member or employee of any other relevant authority (this includes other councils, police authorities, fire authorities and broads authorities or national park authorities).
 - You are not a relative or close friend of a member or employee of Leeds City Council.
 - You are not actively engaged in local party political activity or any similar pressure group.
 - You are not a member of any political party.
- 2.3 Independent Members are currently appointed for a term of office of four years, and can only serve two terms in total. This is to maintain their independence from the Council. According to Article 9 of the Council's Constitution, the interview Panel are able to recommend the appointment of a new Independent Member to the full Council for their approval.
- 2.4 At the end of the process the interview panel felt that there were two candidates for the Independent Member role who were worthy of recommendation for appointment. These were Mrs J Austin and Mr G Tollefson. Both these candidates met all the essential requirements of the role and demonstrated three of the four desirable requirements in their application. However, as there was only one vacancy the interview panel decided to recommend the appointment of Mrs J Austin

- 2.5 Given that the current Chair of the Standards Committee is due to retire at the Annual Meeting in 2010, it is proposed that Mr Tollefson be appointed as a reserve Independent Member in order to fill the Independent Member vacancy when it arises.

The role of a reserve Independent Member

- 2.6 A reserve Independent Member will not be a formal member of the Standards Committee and will not be able to vote but they may speak at the discretion of the Chair. They will be allowed to attend meetings of the Standards Committee to observe the proceedings and for training purposes. A reserve Independent Member would not be allowed to act as a substitute for another Independent Member, or take part in Assessment or Review Sub-Committee meetings (other than as an observer, for development purposes, and with the consent of all parties).
- 2.7 A reserve Independent Member would be required to attend training in accordance with the Standards Committee Training Plan, but would not receive an allowance for their position.

Potential benefits of appointing a reserve Independent Member

- 2.8 If full Council were minded to appoint a reserve Independent Member, the Council would not have to repeat the recruitment exercise in April 2010 in order to replace the vacancy due to arise in May 2010. The cost of the recruitment exercise was £3605.20. This amount does not include officer time or administration costs. However it should also be noted that officers supporting the Independent Remuneration Panel, of which Mr Tollefson is a Member, would have to conduct a similar recruitment exercise to replace Mr G Tollefson.
- 2.9 Furthermore, if Mr Tollefson is appointed as a full Independent Member at the Annual Meeting in 2010, he will already have gained some experience of the Standards Committee and the Council's operations, and will have received training in accordance with the Standards Committee Training Plan. In addition, should a vacancy arise prior to the Annual Meeting in 2010, for example due to a resignation, the Standards Committee would be able to fill this vacancy immediately, which would assist with the timely processing of complaints.
- 2.10 Finally, if the Council were to repeat the recruitment exercise for an Independent Member in 2010 there would be no guarantee that applicants of a similar calibre (meeting all the essential criteria and the majority of the desirable criteria) would apply.

Parish Member position

- 2.11 Candidates for the position of Parish Member were nominated by their Town or Parish Council at the request of the Yorkshire Local Councils Association (YLCA). All these nominees were then interviewed by an interview panel comprised of the Assistant Chief Executive (Corporate Governance), the Chair of the Standards

Committee and Councillor J Priestley (a current Parish Member on the Standards Committee).

- 2.12 Councillor Mrs Walker was asked to confirm that she wished to continue as a Parish Member of the Standards Committee, and the YLCA were asked to confirm whether they supported her reappointment. Following confirmation from the YLCA that they would support her reappointment unopposed, the interview panel decided to recommend to full Council that Councillor Mrs Walker should be reappointed for a further term of office. Parish Members are also appointed for terms of office of four years, but there is no restriction on the number of terms they may serve.

3.0 Main Issues

Biographies

Mrs J Austin – recommended new Independent Member

- 3.1 Until September 2008 Mrs Austin worked for KPMG as a principal advisor within KPMG's Financial Services Advisory Group, which involved working as a project leader on a variety of strategic, regulatory and costing projects, and acting as the independent accountant in a number of Office of Fair Trading regulated assignments. Mrs Austin left this position to pursue other interests.
- 3.2 Mrs Austin has extensive experience of understanding and applying regulatory produced standards in a practical setting; chairing committees and working parties; and reviewing, analysing and investigating data, both financial and non-financial. Mrs Austin also recently completed a degree in psychology from the Open University.

Mr G Tollefson – recommended reserve Independent Member

- 3.3 Mr Tollefson retired from the NHS in January 2006 where he worked as a Senior Ambulance Service Manager. In 2007 and 2008 Mr Tollefson undertook some part time project work for St John Ambulance (South & West Yorkshire) in addition to being a senior volunteer with that organisation.
- 3.4 Mr Tollefson has served as a Magistrate in Leeds since 1994 and chairs Courts on a regular basis. In 2008 Mr Tollefson was appointed by the Ministry of Justice to the Lord Chancellor's Advisory Committee for Leeds, which is the body that handles all matters relating to standards, discipline and governance within the Leeds Magistrates' Courts.
- 3.5 Since retiring, Mr Tollefson has joined the Board of a large Practice Based Commissioning Group of General Practitioners in East and South Leeds, and has recently been invited by HM Lord Lieutenant for West Yorkshire to serve as one of her Deputies. Mr Tollefson is also currently a member of the Leeds City Council Independent Remuneration Panel.

- 3.6 Mr Tollefson is aware that he will have to resign from the Independent Remuneration Panel should he become an Independent Member of the Standards Committee, as the relevant Regulations prevent a co-opted Member of the Council being on the Independent Remuneration Panel. Mr Tollefson has indicated that he would be willing to resign from the Independent Remuneration Panel if required to do so. As the Independent Remuneration Panel make recommendations regarding allowances paid to members of the Standards Committee, and are considering such a matter at their next meeting on 15th June 2009, Mr Tollefson would be required to resign his position following appointment as a reserve Independent Member at the Annual Meeting on 21st May 2009.

Councillor P Cook – recommended new Parish Member

- 3.7 Councillor Cook was elected to Morley Town Council in 2007. He is a member of the Finance and General Purposes Committee.
- 3.8 Councillor Cook was a police officer for 30 years and retired in 1999. Councillor Cook has also previously worked as a security manager for art galleries and museums owned by Leeds City Council.

Councillor Mrs P Walker – recommended current Parish Member

- 3.9 Councillor Mrs Walker is a Member of Pool-in-Wharfedale Parish Council and has been for seven years. Councillor Mrs Walker has been a full Parish Member of the Leeds City Council Standards Committee since 2005.
- 3.10 Councillor Mrs Walker feels that in view of the fact that the Standards Committee has spent so many hours carefully setting up the system of maintaining standards for Leeds City Council, she would like to continue for one more term to see some of their work come to fruition.
- 3.11 The YLCA were asked whether they supported Councillor Mrs Walker's reappointment, and they agreed that there have been no adverse comments received in terms of Councillor Mrs Walker's role and that the potential of losing her input to the continuing Parish Audit work and knowledge of the local assessment arrangements would not serve the Parishes well. Therefore they agreed to put Councillor Mrs Walker's name forward for reappointment by the interview panel unopposed.

4.0 Implications For Council Policy And Governance

- 4.1 The successful candidates all conform with the legal requirements for the positions, which are set out in Article 9 of the Council's Constitution.
- 4.2 Having a high calibre of membership of the Standards Committee will assist the Council in meeting the principle of 'good conduct and behaviour' in the Council's Code of Corporate Governance.

5.0 Legal And Resource Implications

- 5.1 The relevant Regulations require that the appointment of an Independent Member is made by the majority of Members of the authority.
- 5.2 The position of Independent Member attracts an allowance of £2,366 per annum, and the position of Parish Member attracts an allowance of £570 per annum. However both these sums can be met from within existing resources.

6.0 Conclusions

- 6.1 The interview panel recommend that the Council appoint Mrs J Austin to the role of Independent Member of the Standards Committee, and Councillor P Cook to the role of Parish Member, both with effect from 21st May 2009. The report also recommends that the Council appoint Mr G Tollefson as a reserve Independent Member until the Annual Meeting in 2010, in order that he can then be appointed as the Independent Member to fill the vacancy for such a Member left by Mr M Wilkinson when his final term of office expires. Finally, the report recommends that the Council reappoint Councillor Mrs Walker to the role of Parish Member for a further term, as her current term of office expires at the Annual Meeting this year.

7.0 Recommendations

- 7.1 Members are recommended, with immediate effect, to:
- appoint Mrs J Austin to the role of Independent Member until the Annual Meeting in 2013;
 - appoint Mr G Tollefson to the role of reserve Independent Member until the Annual Meeting in 2010 (or such earlier time should a vacancy arise) at which time he will become an independent member for a four year term;
 - appoint Councillor P Cook to the role of Parish Member until the Annual Meeting in 2013; and
 - reappoint Councillor Mrs P Walker to the role of Parish Member until the Annual Meeting in 2013.

Background Documents

Standards Committee (England) Regulations 2008

“The Role and Make Up of Standards Committees” by the Standards Board for England