

Independent Person

Date: 16th May 2022

Report of: City Solicitor

Report to: General Purposes Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

This report seeks agreement to an extension to the term of office of the existing Independent Person and a proposal to recruit a new Independent Person.

Recommendations

Members are asked to consider and agree;

- a) That Mr Tollefson's term of office being extended by two years to July 2024.
- b) That a recruitment process be progressed to appoint a new (additional) Independent Person via a cross party Member Panel (chaired by the Executive Member for Resources and with representation drawn from the Standards and Conduct Committee) - with that Working Group making recommendations to the General Purposes Committee for appointment of a new Independent Person by full Council.
- c) That during his extended term Mr Tollefson supports the induction of the new Independent Person.

Why is the report being put forward?

- 1 Leeds has appointed one Independent Person, Mr Gordon Tollefson. His second term of office is due to expire in July 2022.

What impact will this report have?

Wards affected:

Have ward members been consulted?

Yes

No

- 2 The appointed Independent Person provides impartial advice to the authority and has quarterly briefing meetings with the Deputy Monitoring Officer(s) and is consulted on all complaints assessed under the Council's procedures.
- 3 By extending Mr Tollefson's term of office this will enable a newly appointed Independent Person to work alongside Mr Tollefson as part of their induction into the role.

What consultation and engagement has taken place?

- 4 Ahead of consideration by General Purposes Committee, the views of the Standards and Conduct Committee's views have been sought regarding the extension of the term of office of the existing Independent Person and a proposal to recruit a new Independent Person.
- 5 All Group Leaders have been consulted. The Leader of Council, Leader of the Opposition and the Leaders of the Green Group and the Morley Independent Group have all expressed their support for the proposals set out.
- 6 The Leader of the Garforth and Swillington Independent Group commented that he was supportive of proposals to recruit a new Independent Person.

What are the resource implications?

- 7 There are no resource implications arising from this report.

What are the legal implications?

- 8 A relevant authority **must appoint at least one** independent person—
 - whose 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, and whose views may be sought
 - a) by the authority in relation to an allegation in circumstances not within paragraph 1),
 - b) by a member, or co-opted member, of the authority if that person's behaviour is the subject of an allegation, and
 - c) by a member, or co-opted member, of a parish council if that person's behaviour is the subject of an allegation and the authority is the parish council's principal authority

What are the key risks and how are they being managed?

- 9 The role of Independent Person is prescribed in the Localism Act to has impartial advice to Members and the Monitoring Officer.
- 10 Having a well-functioning ethical framework, including objective independently minded Independent Persons helps maintain confidence in the Council's governance arrangements.

Options, timescales and measuring success

What other options were considered?

- 11 An option to not renew the current Independent Person's term of office has been considered but discounted. This being because Mr Tollefson is well versed in the arrangements adopted in Leeds, has the confidence of Members from all Political Groups and has committed to continue to support the Council's Standards arrangements including supporting transition and appointment to a new Independent Person.

How will success be measured?

12 By considering reports from the Monitoring Officer the Standards and Conduct Committee ensure that the Council's Ethical Framework remains up-to-date and fit for purpose.

What is the timetable for implementation?

13 It is proposed that the extension of Mr Tollefson's term of office be implemented from July 2022 so that Mr Tollefson's extended term of office would cease in July 2024. The recruitment process for an additional/new Independent Member would commence as soon as reasonably practicable after the Annual Council meeting.

Appendices

14 None

Background papers

15 None.