

Independent Person

Role

The independent person's views **must** be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate.

The authority may also seek the independent person's views on an allegation that it has not decided to investigate. However, there is no requirement for the authority to do so, or to take those views into account.

Finally, a member or co-opted member of the authority (or of a parish council in the area) may seek the independent person's views on an allegation made against them.

Who is eligible to be appointed as the Independent Person?

A person cannot become an Independent Person if they are:

- a Member, co-opted member or officer of Leeds City Council;
- a Member, co-opted member or officer of a Parish Council in the Leeds area;
- a relative¹, or close friend, of one of the above people.

In addition, a person cannot become an Independent Person if they have been:

- a Member, co-opted member or officer of Leeds City Council; or
- a Member, co-opted member or officer of a Parish Council in the Leeds area;

at any time during the five years before the appointment.

Transitional Arrangements

The Government introduced transitional arrangements which allowed a person to be appointed if they have been a Member or co-opted Member of the Standards Committee of Leeds City Council during the five years ending on 30th June 2012. These transitional arrangements apply in relation to appointments made before 1st July 2013.

On 3rd July 2012 the Government issued amendments to the transitional arrangements which set out that such appointments may not be for a period ending on or after 1st July 2013. However, this provision does not apply to appointments made before 24th July 2012.

¹ The definition of 'relative' includes a spouse or civil partner, a person with whom the person is living as if they were a spouse or civil partner, a grandparent of the other person, a lineal descendent of the grandparent of the other person, a parent, sibling or child of the person's spouse or civil partner (or person with whom they are living as if they were a spouse or civil partner), the spouse or civil partner (or person with whom the person is living as if they were a spouse or civil partner) of a grandparent, a lineal descendant of a grandparent, or a parent, sibling or child.