

Committee: Full Council
Title: Job Description for Independent Persons

Date: Tuesday, 17
December 2024

Report Author: Nurainatta Katevu, Legal Manager and
Monitoring Officer

Portfolio Holder: Cllr Petrina Lees, Leader of the Council

Summary

1. This report relates to the role of the Independent Persons on standard matters relating to the Council.
2. This report has been recommended for approval by the Audit and Standards Committee at the meeting on 28 November.

Recommendations

3. That the content of the report be noted by Council.
4. That Full Council adopt the Job Description of the Independent Persons in Appendix A.

Financial Implications

5. None

Background Papers

6. [Agenda for Council on Tuesday, 10th October, 2023, 7.00 pm - Modern Council](#)
7. [1stInquiryReport.pdf](#)

Impact

- 8.

Communication/Consultation	This is in compliance with legal requirements and the Committee's terms of reference.
Community Safety	None
Equalities	In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to

	<p>eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.</p> <p>The contents of this report do not directly impact on equality, in that it is not making proposals that will have a direct impact on equality of access or outcomes for diverse groups.</p>
Health and Safety	None
Human Rights/Legal Implications	This is in the body of the report.
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

9. The Council has the duty to promote and maintain high standards of conduct of Councillors of the district and the parish and town councils within the District of Uttlesford.
10. The Nolan Report recommended that all local authorities should set up Standards Committees which would draw up codes of conduct for councillors and take action over any breaches of the code. The Local Government Act 2000 established Standards Committees for all local authorities and provided for them to include Independent Persons (IPs). From July 2012, the standards regime changed and every authority is under a duty to promote and maintain high standards of conduct by elected and co-opted members of the authority. The Council continued a Standards Committee, and in accordance with s 28(7) of the Localism Act 2011, it appointed non-voting Independent Persons of the Standards Committee to assist that Committee and the officers of the Council.
11. Since May 2023, the Audit Committee and the Standards Committee have been merged into one Committee.
12. The role of the Independent Person on Audit and Standards Committee is to provide appropriate skills and experience to supplement those of the elected members and improve the effectiveness of Audit and Standards Committee. The role does not have voting or decision-making powers as other elected members of Audit and Standards Committee have. Rather the role operates in an advisory capacity

13. The appendix to this report is timely in bringing to the fore clarity and a wider awareness to the role of the Independent Persons within the Council following the appointment of the fourth Independent Person at full Council on 10th October 2023.
14. Should the Committee be minded to approve the recommendation, the IP job description will be added to the “Procedure of considering a complaint under the Code of Conduct for Councillors” which forms part of the Council’s constitution following full council adoption on the 17th of December 2024.

Risk Analysis

15.

Risk	Likelihood	Impact	Mitigating actions
It is important that the Council continues to discharge its duty to promote and maintain high standards of conduct of its elected members and co-opted members of Uttlesford District Council and the town and parish councils established in the district.	2	2	Regular training and update on legalisation Elected members and co-opted Members of Uttlesford District Council and the town and parish councils established in the district

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.