



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

Name and Date of Committee	<b>COUNCIL – 29 NOVEMBER 2023</b>
Subject	<b>APPOINTMENT OF INDEPENDENT PERSONS</b>
Wards Affected	None
Accountable Member	Councillor Andy Graham – Leader of the Council. Email: <a href="mailto:Andy.Graham@westoxon.gov.uk">Andy.Graham@westoxon.gov.uk</a>
Accountable officer	Andrea McCaskie – Director of Governance. Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Report Author	Andrew Brown – Business Manager, Democratic Services. Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Purpose	To appoint Alec Pridsam and Paul Evans as Independent Persons for the purposes of matters of Councillor conduct.
Annexes	Nil.
Recommendations	That Council Resolves to: <ol style="list-style-type: none"><li>1. Appoint Alec Pridsam and Paul Evans as Independent Persons for a period of 4 years;</li><li>2. Delegate Authority to the Director of Governance (Monitoring Officer) to extend the appointments for further periods of one year at a time if deemed appropriate.</li></ol>
Corporate Priorities	<ul style="list-style-type: none"><li>• Working Together for West Oxfordshire</li></ul>
Key Decision	NO
Exempt	NO
Consultees Consultation	N/A

## **1. BACKGROUND**

- 1.1** The Localism Act 2011 (Section 28) requires a relevant authority to have in place arrangements under which allegations made under the Code of Conduct can be investigated, and under which decisions on allegations of breaches of the Code can be made.
- 1.2** The arrangements must include provision for the appointment of at least one Independent Person whose views must be sought, and taken into account, before a decision is made on an allegation that has been investigated. The views of the Independent Person may also be sought at other stages of the complaints process and most authorities refer complaints to the Independent Person at an early stage in the process and particularly when the Monitoring Officer is carrying out an initial assessment of the complaint.
- 1.3** The Council currently has one Independent Person, Andrew Colling, who was appointed for a 4-year term commencing on 1 May 2021. In that time Andrew Colling has been consulted by the Monitoring Officer on over 25 code of conduct complaints and has acted as a consultee at standards hearings.
- 1.4** There are certain requirements set out in the Act. In summary, these are that an Independent Person may not be a current or past (within 5 years):
  - member, co-opted member or officer of the authority,
  - member, co-opted member or officer of a parish council of which the authority is the principal authority, or
  - relative, or close friend, of a person referred to above.

## **2. APPOINTMENT PROCESS**

- 2.1** The role of Independent Person was advertised through the normal recruitment channels. The Council received seven applications. Two candidates who met the qualifying criteria were shortlisted for interview by the Council's Monitoring Officer and Deputy Monitoring Officer; the Director of Governance and the Democratic Services Business Manager.
- 2.2** Officers concluded that both Alex Pridsam and Paul Evans demonstrated the appropriate level of integrity and professionalism and therefore recommend to Council that they are both appointed with immediate effect for a period of 4 years.
- 2.3** Alec Pridsam is a qualified accountant and statutory auditor who lives in the district.
- 2.4** Paul Evans is a Chair, Trustee, Management Consultant and Non-Exec Director within the private and charitable sectors who lives in the district.

## **3. ALTERNATIVE OPTIONS**

- 3.1** The Council could proceed with the current Independent Person however there would be a lack of resilience if that person was unavailable or had a conflict in relation to a particular complaint.

**4. FINANCIAL IMPLICATIONS**

5. There is no remuneration of Independent Persons, however, they are entitled to claim travel expenses and an allowance of £75 for up to four hours work and £150 for more than four hours work.

**6. LEGAL IMPLICATIONS**

- 6.1 The recommendations will help the Council to continue to meet its obligations under the Localism Act 2011.

**7. RISK ASSESSMENT**

- 7.1 There are no immediate risks considered to be arising from the contents of this report.

**8. EQUALITIES IMPACT**

- 8.1 The recruitment process has been undertaken in accordance with the Council's Equalities Policy.

**9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 9.1 There are no climate and ecological impacts.

**10. BACKGROUND PAPERS**

- 10.1 None.

(END)