

Part I

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Executive Member: Councillor Tony

Kingsbury

All Wards

WELWYN HATFIELD BOROUGH COUNCIL  
COUNCIL – 6 JULY 2022  
REPORT OF THE MONITORING OFFICER

LOCALISM ACT 2011 – APPOINTMENT OF INDEPENDENT PERSON

**1 Executive Summary**

The purpose of this report is to seek the Council's agreement to appoint a Council's independent person to advise on standards matters for councillors.

**2 Recommendation(s)**

2.1 It is RECOMMENDED that Council agree the appointment of Mr Ian Jobson as a Council independent person for a further term of 5 years, commencing on the date after this meeting.

**3 Explanation**

**3.1 THE INDEPENDENT PERSON**

3.2 The role of the independent person under the Standards arrangements is twofold. Firstly, the views of the independent person must be sought and taken into account by the Authority before it makes its decision on an allegation that it has decided to investigate.

3.3 Secondly, the views of the independent person may be sought by the Authority generally or by the Member who is the subject of the allegation.

3.4 The Council last agreed the appointment of its independent person on 10 July 2017. The independent person is appointed for a five-year term, hence the need to make a new appointment by the 10 July 2022.

3.5 The qualifications for an independent person are that the person must not be:

- A member, co-opted member or officer of the Authority (or a Parish Council of which this Council is the principal authority)
- A relative or close friend of any of the above
- A member, co-opted member or officer of the Authority (or the Parish Council of which the Authority is the principal authority) within five years of their prospective appointment.

3.6 Any appointment must be preceded by a public advertisement, an application and approval by a majority of the Authority's Members.

## DRAFT REPORT FOR STANDARDS COMMITTEE ON 15<sup>th</sup> JUNE 2022

- 3.7 The Standards Committee on 15<sup>th</sup> June 2022, received an update on the above process. It noted the requirements for the need for new appointments of independent persons and the advertisement and selection process for the recruitment had taken place.
- 3.8 It is confirmed that these vacancies were publicly advertised extensively in social media and the council's website for a period of approximately 2 months. Applications were invited and submitted by applicants by a closing date. These applications were assessed by an officer panel consisting of the Chief Executive, Monitoring Officer and Governance Services Manager.
- 3.9 Following interviews of the shortlisted applicants by the officer panel, that took place on 20<sup>th</sup> May 2022, the panel is recommending to Council, the re-appointment of Mr Ian Jobson, a current council independent person.
- 3.10 Mr Jobson was previously appointed as an independent person by this council on 10<sup>th</sup> July 2017 and he has served as a council's independent person since then.
- 3.11 Mr Jobson also serves as an independent person for St Albans City and District Council.
- 3.12 Mr Jobson is a recently retired civil servant who lives in Welwyn Garden City. He has worked at a high level in strategic customer services and operated within the complaints process that followed the civil service model. Mr Jobson has a detailed understanding of public service and large complex organisations. Having worked with ministers, he is also aware of the political sensitivities that attach to a political arena. Mr Jobson is keen to continue to serve the local community and uphold local democracy.
- 3.13 In the past five years at Welwyn Hatfield Borough Council, Mr Jobson has demonstrated the ability to be objective, independent and impartial in his role. He has complied fully with the confidentiality requirements demanded by this process. He has also developed expertise in this area.
- 3.14 On the basis of the merits of his application and his past performance in the role, the officer panel do not hesitate in recommending Mr Jobson's re-appointment as a council independent person for a further five-year term.

### **Implications**

#### **4 Legal Implication(s)**

- 4.1 Section 28 of the Localism Act 2011 (the Act) requires local authorities to have arrangements in place for the appointment of at least one independent person under the standards regime. The legal requirements are set out in paragraphs 3.2 to 3.6 above.

#### **5 Financial Implication(s)**

- 5.1 Council on 16<sup>th</sup> March 2022 agreed the introduction of an annual sum of £500 per independent member appointed under the Act. This applies from the financial year 2022/23. Previously, no allowance was paid.

5.2 In addition to this, the council has always paid reasonable travel expenses incurred necessarily through performance of the role.

## **6 Risk Management Implications**

6.1 The risks related to this proposal are:

6.2 Legal- the council is required by the Act to have these appointments in place under the standards regime. Making an appointment, in accordance with the statutory process, abrogates the risk of non-compliance.

## **7 Security and Terrorism Implication(s)**

7.1 None directly applicable.

## **8 Procurement Implication(s)**

8.1 None directly applicable.

## **9 Climate Change Implication(s)**

9.1 None directly applicable.

## **10 Health and Wellbeing Implication(s)**

10.1 None directly applicable.

## **11 Communication and Engagement Implication(s)**

11.1 The appointment, if approved, will be published on the council's website.

## **12 Link to Corporate Priorities**

12.1 The subject of this report is linked to the Council's Corporate Priority 'A well run council which puts our customer first' and specifically to the achievement of 'reviewing our services to ensure we are efficient, accountable and accessible to our communities' and is linked to a statutory requirement, under the Localism Act 2011.

## **13 Equality and Diversity**

13.1 An EqIA was not completed because this report does not propose changes to existing service-related policies or the development of new service-related policies.

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Date *23<sup>rd</sup> May 2022*

Background papers to be listed (if applicable)

Not applicable