

## NORTH YORKSHIRE COUNTY COUNCIL

## STANDARDS COMMITTEE

24 January 2011

**Appointment of Independent Member****1.0 PURPOSE OF REPORT**

- 1.1 To consider the arrangements for an appointment to one of the Independent Member positions on the Standards Committee.

**2.0 BACKGROUND**

- 2.1 Dr Holt was appointed as an independent Member of the Standards Committee until the date of the annual Council meeting in May this year.
- 2.2 Given that Dr Holt's term of office expires this year, and the timing of likely Committee and Council meetings in 2011, it was thought sensible to seek Members' views at today's meeting regarding an appropriate recruitment process for the appointment to the independent Member position currently held by Dr Holt.

**3.0 RECRUITMENT PROCESS**

- 3.1 The process for recruiting an independent member to the Standards Committee would usually be carried out in accordance with the Standards Committee (England) Regulations 2008 and Standards for England Guidance. However, in its latest Standards Bulletin, Standards for England has issued some further advice in relation to the appointment of independent members to standards committees.
- 3.2 Standards for England has previously advised that independent members should serve no more than two terms of four years after which new members should be recruited. Some authorities previously expressed concern that, given the then uncertainty regarding the future of the standards regime (which the Localism Bill now proposes to abolish), it may be preferable to retain those who have been trained and understand their role rather than to try to recruit and appoint new members. In light of the uncertain future of the standards regime, Standards for England recently advised that, as long as the original appointment was carried out in accordance with all the correct legal requirements at the time, an authority can extend that term for a further period. This can only be done during the term of office of an existing independent member and by approval from the full authority. Once the independent member's term has expired the full recruitment procedures must be followed again.
- 3.3 It is therefore recommended to Members of the Standards Committee that this advice from Standards for England is a sensible way forward in the circumstances and that, subject to the views of Dr Holt, it therefore be recommended to the Council that Dr Holt be re-appointed to the Committee, upon the expiry of her current term of office, for a further period of two years.
- 3.4 However, in the event that Dr Holt would not wish to be re-appointed, rather than embark upon a costly recruitment process given the intended abolition of the standards regime within the next year, it is suggested that the vacancy be carried over and, if an independent Member is needed for that position, the Monitoring Officer could seek to temporarily appoint a neighbouring authority's standards committee independent

Member for a particular purpose. This is permitted under regulation 5(3) of the Standards Committee (England) Regulations 2008. Any such temporary appointment would be subject to the usual qualification requirements (eg the independent Member not being a relative or close friend of a member or officer of North Yorkshire County Council).

- 3.5 Under the Regulations, authorities may agree such procedures as they think fit for such temporary appointments to standards committees. The Council, on the basis of recommendations from the Standards Committee, previously agreed on 23 July 2008 that the procedure for NYCC should be that power to arrange such temporary appointments be delegated to the Monitoring Officer, in consultation with the Chair of the Committee, after the Monitoring Officer satisfying herself that any such independent Member selected was validly appointed by that other authority and the Monitoring Officer to report back to the Standards Committee on any temporary appointments made.

#### **4.0 RECOMMENDATIONS**

- 4.1 That the Committee determines an appropriate process for dealing with the expiry, in May, of the independent Member position currently held by Dr Holt.

CAROLE DUNN  
Monitoring Officer

#### Background Documents:

The Standards Committee (England) Regulations 2008  
Standards for England Guidance on the Role and Make Up of Standards Committees  
Standards for England Bulletins  
Standards for England website [www.standardsforengland.gov.uk](http://www.standardsforengland.gov.uk)

County Hall  
NORTHALLERTON

13 January 2011