

The role of the Independent Person

Under the provisions of the Localism Act 2011 the Council has appointed both an Independent Person (IP) and a Reserve Independent Person to assist the Council in promoting and maintaining high standards of conduct amongst its Councillors and Town/Parish Councillors.

In practical terms this means that the IP must make themselves available for consultation by people who may wish to complain that there has been a breach of the Code of Conduct. Likewise they are available for consultation by any person or Council that is the subject of a standards complaint.

When a complaint against a Councillor or Parish Council is raised the Monitoring Officer will consult with the IP as to whether this is a matter that warrants a full investigation or can perhaps be dealt with by local resolution. In the event that the complaint is capable of early resolution the IP, together with the Monitoring Officer, may be able to assist in resolving the issue without the expense of an investigation. At all times however the IP has to maintain an independent role and cannot act in a manner that suggests they are representing or advocating the views of any particular party.

If the complaint is complex or sufficiently serious then the Monitoring Officer will appoint an investigator. The person appointed may be another senior officer of the Council, an officer of another Council, or an appropriately experienced external investigator. As part of their investigation they will interview all parties and everyone would be given a full opportunity to explain their position. Whilst this is taking place it would not be appropriate for the IP to discuss the details of the complaint with either party although procedural advice could still be given if required.

Following the investigation, and depending on the outcome, it may be necessary to hold a Hearing before the Standards Committee. The IP would attend and be consulted by the Council, through the Monitoring Officer, and the Standards Committee before it makes a decision on the allegation and/or if it seeks to impose any sort of sanction.