

From: Ben Watts, General Counsel
To: County Council – 18 July 2024
Subject: Appointment: Independent Person (Standards)
Classification: Unrestricted

1. Introduction

- a. The Localism Act 2011 requires that the County Council appoint an Independent Person to whom the Monitoring Officer can seek advice when they are in receipt of an alleged breach of the Kent Member Code of Conduct.
- b. The legislation came into operation on 1 July 2012 just a few days after it was published. Therefore, the County Council approved at its meeting in October 2012 the appointment of Mr Michael George retrospectively for a four-year term expiring 30 June 2016. In July 2016, following the recommendation of the Selection and Member Services Committee, County Council agreed to reappoint Mr George. This pattern was repeated in 2020 and Mr George was reappointed to a further four-year term on 17 June 2020.

2. Reappointment of Mr George

- a. It is proposed that County Council reappoint Mr George to a further term of office as the Independent Person. This period will run from 1 July 2024 (applied retrospectively) to 30 June 2027.
- b. Mr George has said verbally that he would be willing to continue for a further term.
- c. This reappointment was due to be discussed at the meeting of the Selection and Member Services Committee on 4 July 2024. Due to the timing of the general election, this meeting was cancelled. County Council is the appointing body and due to the need to have an Independent Person in place and the fact that it is a reappointment, and to a term less than the usual four-years, the customary discussion of the appointment at the Selection and Member Services Committees was not required on this occasion.
- d. The remuneration for this post is a £500 annual retainer (payable over 12 months) plus a daily rate of £100 (pro rata for part of a day) when required to undertake any duties, and travel expenses at the same rate as for elected Members (currently 45p per mile).

3. A Second Independent Person

- a. Although there is a reciprocal arrangement in place with the Kent and Medway Fire and Rescue Authority (see next section), a paper will be presented to a future meeting of the Selection and Member Services Committee to consider the merits of appointing a second Independent Person to advise on standards matters. The intention would be to ensure this advice is available when required and look to develop a wider pool of expertise upon which to draw.

4. Kent and Medway Fire and Rescue Authority

- a. The Committee is reminded that the County Council works in co-operation with the Kent and Medway Fire and Rescue Authority. Should Mr George not be available or have a conflict of interest the Kent and Medway Fire and Rescue Authority Independent Person would act. The Kent and Medway Fire and Rescue Authority were due to appoint a new Independent Person shortly with a four-year term beginning 1 July 2024.

5. Recommendation

County Council is asked to agree the appointment of Michael George as the Independent Person for the Member Code of Conduct for the three-year term 1 July 2020 to 30 June 2027.

6. Background Documents

None.

7. Report Author and Relevant Director

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