

Independent Persons' Workshop, Camden Town Hall, 15<sup>th</sup> November 2012

Briefly, the speakers –

*Paul Hoey.* Worked for central government as the director in charge of strategy and stakeholder relations at Standards for England until its closure at the end of March. He is an acknowledged national expert on the local government standards framework for the last decade.

*Jonathan Goolden.* Jonathan is a solicitor and head of Public Law with Wilkin Chapman LLP. He has been a Monitoring Officer in two local authorities and was the clerk to a police authority. He has investigated over 150 councillor/member code of conduct cases. He is the chair of Humberside Police Authority's Standards Committee and the Independent Person for North Lincolnshire Council.

In this brief report, I have tried to focus on some of the detail affecting the work of the Independent Person (IP), and some questions which were posed.

- a. There are no national standards on how to be an IP. This raises the question – should IPs sign up to their own code of conduct. If so, this could underline their independence and their commitment to being 'squeaky clean' in the eyes of the public at large.
- b. In dealing with a complainant or a subject of a complaint, IPs must never give ADVICE. We should only ever *express a view* and, in doing so, must make it clear that it is just that. Giving advice as such can lead to subsequent problems for the Monitoring Officer (MO).
- c. At the assessment stage, give assurance to the subject about the processes involved but be unbiased, and in an independent and transparent way. The council should make such comments available to all parties. An IP may choose not to give a view or opinion – may defer doing so?
- d. Take notes of the discussion with the subject and forward to the MO by e-mail. (Confidentiality issues?) If an IP is not prepared to have a comment published, then don't make it.
- e. The local authority (LA) should establish a routine and consistent method of dealing with complaints. Should the MO share complaints immediately with IPs? The LA should only consult with one IP in each case. Should a LA only have one IP plus a reserve?
- f. The IP, as a citizen, has a role in maintaining standards by all. If serious deficiencies are thought to exist within the LA structure itself, with attendant sensitivities, it may be necessary to take this up direct with the Chief Executive. (Should this option be codified?) An IP is not a member of the Standards Committee.
- g. Do not have contact with the news media. If enquiries are received, they must be passed to the Press Office. How 'visible' should IPs be to the general public? Is there a written job description for IPs? Should there be, in order to satisfy Indemnity considerations?
- h. Know and understand your Council and its workings.

Roger Pratt  
Independent Person