

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

STANDARDS COMMITTEE

22 JULY 2013

1. APPOINTMENT OF INDEPENDENT PERSONS

Report of the Clerk to the Authority and Monitoring Officer

RECOMMENDED

- 1.1 That the appointment of Ms Yetunde Akande to the role of Independent Person for the West Midlands Fire and Rescue Authority for a one year period, expiring 30 June 2014, be noted.

2. PURPOSE OF REPORT

- 2.1 In accordance with the Localism Act 2011, arrangements must be put in place for the appointment by the Authority of at least one Independent Person whose views must be sought and taken into account by the Authority before it makes its decision on an allegation against an elected Member that it has decided to investigate. The Independent Person's views may be sought by a Member or co-opted Member of the Authority if that person's behaviour is the subject of an allegation, and may also be sought by the Authority in relation to an allegation it has not yet decided to investigate.
- 2.2 On 9 January 2012, the Standards Committee approved the shared appointment of an Independent Person between the Fire Authority and Sandwell Council.
- 2.3 The Authority already has one Independent Person, Mr Frederick Bell, whose term of office ends on 30 June 2014. Pursuant to the statutory requirement set out in the Localism Act 2011, the term of office for the two other Independent Persons, who were previously Independent Members of the Standards Committee and were appointed as Independent Persons in May 2012, concluded on 30 June 2013.

Consequently, a recruitment exercise for replacement Independent Persons was carried out and interviews took place by Sandwell Metropolitan Borough Council members, advised by the Monitoring Officer. The Panel identified one person who was considered suitable to appoint, Ms Yetunde Akande.

- 2.4 On 24 June 2013, the Authority approved this appointment.
- 2.5 A further recruitment exercise to identify a third person will be carried out in September 2013.

3. **EQUALITY IMPACT ASSESSMENT**

- 3.1 An Equality Impact Assessment has not been carried out as this report essentially meets the requirements of the new legislation.

4. **LEGAL IMPLICATIONS**

- 4.1 Section 27 of the Localism Act 2011 requires Authorities to promote and maintain high standards of conduct by Members and co-opted Members of the Authorities. The Act requires Local Authorities to have in place mechanisms to investigate allegations that a Member has not complied with their Code of Conduct, and arrangements under which decisions on allegations may be made.
- 4.2 Section 28(7) requires Local Authorities to appoint at least one Independent Person to advise the Council before it makes a decision on an allegation. The Independent Person also advises a Member facing an allegation who has sought the views of that person. There are restrictions on who can be appointed as the Independent Person, in general the Independent Person cannot be a councillor, officer or their relative or close friend.

5. **FINANCIAL IMPLICATIONS**

- 5.1 The role of Independent Person is a voluntary position and no annual allowance is paid in respect of this appointment. However, travelling and subsistence expenses are paid at the appropriate rate.

**N SHARMA
CLERK TO THE AUTHORITY
AND MONITORING OFFICER**

Background Papers
Localism Act 2011