

Standards Committee

7 February 2014



Protocol for Durham County Council's Independent Person

Report of Colette Longbottom, Head of Legal and Democratic Services

Purpose of the Report

1. To invite members to adopt a protocol relating to the Council's independent person.

Background

2. The statutory role of an Independent Person appointed under Section 28(7) of the Localism Act 2011 is to help the Authority discharge its duty to promote and maintain high standards of conduct amongst Members and Co-opted Members.
3. The functions of the independent person include:
 - (i) They may be consulted by the Authority before it makes a finding as to whether a Member has failed to comply with the Code of Conduct, or decides on action to be taken in respect of that Member
 - (ii) They may be consulted by the Authority in respect of a Standards complaint at any other stage, and they may be consulted by a Member or a co-opted Member of the Authority
4. Members will be aware that the Council has appointed two independent persons.
5. A protocol has been drafted to clarify how the Independent Person will fulfil their role. A copy of the protocol is attached as Appendix 2.
6. Since the appointment of the independent persons in October 2012, they have been contacted by members who are subject to a complaint on approximately 14 occasions.

Recommendations and Reasons

7. Standards Committee is invited to adopt the Independent Persons Protocol.

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Appendix 1: Implications

Finance: None specific in this report

Staffing: None specific in this report

Risk: None specific in this report

Equality and Diversity/Public Sector Equality Duty: None specific in this report

Accommodation: None specific in this report

Crime and Disorder: None specific in this report

Human Rights: None specific in this report

Consultation: None specific in this report

Procurement: None specific in this report

Disability Issues: None specific in this report

Legal Implications: None specific in this report