

**Status of Report:** *Public*

**Meeting:** Combined Fire Authority

**Date:** 2 October 2024

**Subject:** Appointment of Independent Persons

**Report by:** The Solicitor and Monitoring Officer

**Author:** Lauren Haslam, Monitoring Officer

**For:** Decision

### **Purpose**

1. This report concerns the appointment of Independent Persons to support the Member Conduct Complaints Process as required under Section 28 (7) of the Localism Act 2011 and to support the procedures for dealing with the dismissal of the Chief Fire and Rescue Officer, the Monitoring Officer and the Treasurer, as required by the Local Authorities (Standing Order) England Regulations 2001 (as amended).

### **Recommendation**

2. The CFA is asked to
  - a. approve the appointment of Richard Gough, Gordon Grimes, Surinder Sharma, Pamela Roberts, John Pilgrim and Kimberley Kingsley to serve as Independent Persons for a term of four years ending on 30 September 2028.
  - b. agree that the CFA's appreciation be conveyed to the outgoing Independent Persons for their valuable work in supporting the Authority in upholding standards with elected members and senior chief officers.

### **Executive Summary**

3. The Localism Act 2011 sets out provisions regarding the conduct of members and requires that the CFA appoint at least one Independent Person, whose view must be sought and taken into account by the Authority before it makes a decision on any allegation and whose views may be sought about allegations. In addition, The Local Authorities (Standing Order) England (Amendment) Regulations 2015 set out the procedure for dealing with the dismissal of the Chief Fire and Rescue Officer, the Monitoring Officer and the Treasurer.
4. The Term of Appointment for the Independent Persons recruited in 2020 will cease on 30 September 2024. A joint recruitment process has been undertaken with Leicestershire County Council over the summer to recruit and appoint a new pool of independent persons that can support both organisations' member complaints process and the dismissal process for senior

officers. Interviews were carried out in mid-August, the outcome of which was considered by the Corporate Governance Committee on 11 September 2024, and it is proposed that six Independent Persons are appointed. The term of appointment would be for four years, ceasing on 30 September 2028.

## **Background**

5. The Terms of Appointment for the Independent Persons appointed by the Combined Fire Authority in 2020 will cease on 30 September 2024. The CFA is thankful for the service given by the outgoing Independent Persons in supporting the Authority to uphold standards with elected members and senior Chief Officers.
6. A joint recruitment process has been undertaken with Leicestershire County Council. For both the Combined Fire Authority and the County Council, the Independent Persons will be appointed for a period of four years until 30 September 2028 to support both member conduct and Chief Officer dismissal processes as outlined above.
7. The position was publicly advertised and an interview process undertaken to recruit a pool of Independent Persons. The Interview Panel consisted of Members drawn from the Corporate Governance Committee and the Employment Committee of both the CFA and the County Council, supported by the CFA's Monitoring Officer (the County Council's Director of Law and Governance) and the County Council's Assistant Director of Corporate Resources – Corporate Services.
8. At its meeting on 11 September 2024, the Corporate Governance Committee considered the proposed appointments and agreed to recommend that the CFA approves the appointment of the six Independent Persons detailed in paragraph 12.

## **Proposed Appointments**

9. A pool of six candidates is recommended for appointment for the four-year term from 2 October 2024 to cover the joint role of supporting the CFA and the County Council, to allow greater flexibility and to avoid the possibility of a conflict of interest. All those recommended are eligible, live in Leicester or Leicestershire and are considered suitable candidates.
10. The regulations permit the reappointment of independent persons. The Monitoring Officer wrote to the existing appointees to thank them for their work to date and confirm that they were welcome to re-apply. Four of the six current Independent Persons applied for the position and passed the benchmark set by the Shortlisting Panel for invitation to interview.
11. The Shortlisting Panel concluded that, as the four applicants that were current Independent Persons met the standard for this position, that they should not be interviewed again but have their appointments extended as they had demonstrated their suitability for the role when interviewed in 2020, updated

positive references had been received for all four and the requirements for the role had not changed. This mirrored the approach taken in other local authorities and was agreed by the Monitoring Officer and the Appointment Committee.

12. The Appointment Committee met on Wednesday 21 August 2024 to interview candidates and agreed to recommend the following people for appointment, and in some cases reappointment:-

Richard Gough  
Gordon Grimes  
Surinder Sharma  
Pamela Roberts  
John Pilgrim  
Kimberley Kingsley

Further details of the above candidates are set out in the Appendix to this report.

13. Candidates will be appointed for a term of four years until 30 September 2028.
14. Two of the current cohort of Independent Persons (Ms T Herring and Ms H Kotecha) have chosen not to reapply and will cease their role on 30 September.

### **Report Implications/Impact**

15. Legal (including crime and disorder)

The Localism Act 2011 sets out provisions regarding the conduct of members. It is a requirement under this Act that the CFA appoint at least one Independent Person, whose view must be sought and taken into account by the Authority before it makes a decision on any allegation and whose views may be sought about allegations.

The Local Authorities (Standing Order) England (Amendment) Regulations 2015 set out the procedure for dealing with the dismissal of the Chief Fire and Rescue Officer, the Monitoring Officer and the Treasurer.

16. Financial (including value for money, benefits and efficiencies)

By running a joint recruitment process for both the CFA and the County Council, economies of scale were achieved through reduced advertising costs, officer administration time and the servicing of a joint recruitment Panel.

Any payments made to the independent persons appointed, for travel and subsistence expenses (where appropriate), will fall outside the Members Allowance Scheme which only applies to either elected or co-opted members of either Authority. An allowance is not proposed.

17. Risk (including corporate and operational, health and safety and any impact on the continuity of service delivery)

None.

18. Staff, Service Users and Stakeholders (including the Equality Impact Assessment)

The opportunities were advertised widely to ensure that a diverse pool of potential applicants was aware of the opportunities available.

19. Environmental

None.

20. Impact upon "Our Plan" Objectives

None.

## **Appendix**

Proposed Independent Persons 2024

### **Officers to Contact**

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