

# **Report of the Special Committee (Constitution Review) 26 November 2007**

## **Members:**

- \* Councillor Melvin Cohen LL B (Chairman)
- \$Councillor Mike Freer (Vice-Chairman)

## **Councillors:**

- |                             |                     |                             |
|-----------------------------|---------------------|-----------------------------|
| * Jack Cohen                | * Richard Cornelius | * Robert Rams (substituting |
| * Jim Tierney (substituting | * Alison Moore      | for Mike Freer)             |
| for Linda McFadyen)         |                     |                             |
| * Alan Schneiderman         | * Matthew Offord    | * Joan Scannell             |
| * Daniel Webb               |                     |                             |

\* denotes Member present

\$denotes Member absent on Council business

## **TERM OF OFFICE FOR AND RECRUITMENT OF INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE (Report of the Director of Corporate Governance and Monitoring Officer - Agenda item 5A)**

The Committee, considered the attached report and noted the views of the Standards Committee.

The Committee were also advised of a proposal to increase the size of the Standards Committee in order to facilitate the ability to form Sub-Committees. This was as a consequence of local filtering of complaints to be introduced from April 2008 (projected). The Director of Corporate Governance reported that regulations and guidance would be issued but it was clear that there would be different stages of the process requiring determination by the Sub-Committees with different compositions of membership that could not be achieved with the current number.

The stages were likely to include:

1. Filtering the complaints and determining whether or not a complaint should be investigated.
2. A review, if requested by the complainant should there be a decision that the complaint should not be investigated.
3. The hearing of the complaint following investigation.

Each of the above stages would be likely to require a completely new Sub-Committee to ensure independence of proceedings and members.

The Director referred to this Council's practice of appointing more independent members than Councillors to the Standards Committee and reported that in order to maintain that balance and a similar ratio and to facilitate the stages outlined above, the Standards Committee membership would need to be increased either to 11, probably comprising 6 independent and 5 elected members or 13, comprising 7 independent and 6 elected members. The Director noted that a 13 member committee was in the main larger than other Council committees but would probably be required for the practice of maintaining parity of numbers between the groups in forming the composition of elected members.

#### **RESOLVED TO RECOMMEND**

- (1) That Article 9 of the Constitution be amended so that it provides for**
  - (a) a 4 year fixed term of office for Independent Members of the Standards Committee**
  - (b) public advertisement seeking interest to be placed prior to the expiry of a fixed term of office or earlier if a vacancy should arise**
  - (c) the Chief Executive and Director of Corporate Governance and Monitoring Officer to carry out a selection process from those responding to public advertisement and to make recommendations for appointment to the Council.**
  - (d) re-appointment by Council on an annual basis during the 4 year term so that Council is able to take appropriate action in any circumstances where an Independent Member is not properly performing his or her duties.**
- (2) That a limit of two full terms be placed on the number of consecutive fixed terms of office an Independent Member of the Standards Committee may serve but membership of the committee prior to the introduction of these arrangements would not be included in any calculation for this purpose.**
- (3) That 4 year fixed term appointments should be organised on a staggered basis so that every two years the terms of office of 2 Independent Members of the Standards Committee would expire.**
- (4) That, if an Independent Member of the Standards Committee should resign or otherwise leave office before the end of their term, any replacement independent member should serve the remainder of the 4 year term of office to maintain the staggered pattern.**

- (5) That Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Members positions where the incumbents have been in post since the Standards Committee's inception, with the process being completed in time for the Council's Annual Meeting in May 2008.**
- (6) That should vacancies not arise earlier, that Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in the other two Independent Member positions where the incumbents have been in post since 2005, with the process being completed in time for the Council's Annual Meeting in May 2010.**
- (7) That Council be asked to confirm that the incumbent Independent Members of the Standards Committee would be eligible to re-apply for appointment in response to public advertisement referred to in 1.5 and 1.6 above.**
- (8) That the Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to prepare a Barnet specific recruitment pack to be sent to prospective Independent Members of the Standards Committee with reference to the model pack issued by the Association of Council Secretaries and Solicitors (ACSeS) and other guidance.**
- (9) That, in order to facilitate the ability to form Sub-Committees as a consequence of local filtering of complaints to be introduced from April 2008 (projected) the Standards Committee membership be increased to 11 members, comprising 6 independent members and 5 elected members and that the political balance considerations should not apply.**

**AGENDA ITEM: 5A**      Page nos. 1 - 17

Meeting	Special Committee (Constitution Review)
Date	26 November 2007
<b>Subject</b>	<b>Term of Office for and Recruitment of Independent Members of the Standards Committee</b>
Report of	Director of Corporate Governance & Monitoring Officer
Summary	This report refers to Item 23 on the matrix and sets out proposals for a fixed term of office for Independent Members of the Standards Committee and future recruitment arrangements for Independent Members.

Officer Contributors	Jeff Lustig, Director of Corporate Governance Donna Knight-Olds – Governance Manager
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A – Report to Standards Committee – 17 September 2007
For decision by	Council (following recommendations of the Special Committee (Constitution Review)).
Function of	Council
Reason for urgency / exemption from call-in (if appropriate)	Not applicable

Contact for further information: Donna Knight-Olds, Governance Manager –Tel: 020 8359 7156

## **1. RECOMMENDATIONS**

- 1.1 That Council be asked to agree to amend Article 9 of the Constitution so that it provides for**
- (a) a 4 year fixed term of office for Independent Members of the Standards Committee**
  - (b) public advertisement seeking interest to be placed prior to the expiry of a fixed term of office or earlier if a vacancy should arise**
  - (c) the Chief Executive and Director of Corporate Governance and Monitoring Officer to carry out a selection process from those responding to public advertisement and to make recommendations for appointment to the Council**
  - (d) re-appointment by Council on an annual basis during the 4 year term so that Council is able to take appropriate action in any circumstances where an Independent Member is not properly performing his or her duties.**
- 1.2 That the Committee considers whether it wishes to recommend to Council that a limit be placed on the number of consecutive fixed terms of office an Independent Member of the Standards Committee may serve.**
- 1.3 That the Committee considers whether it wishes to recommend to Council that 4 year fixed term appointments should be organised on a staggered basis so that every two years the terms of office of 2 Independent Members of the Standards Committee would expire.**
- 1.4 If the principle of staggered terms of office is accepted, that the Committee considers whether, if an Independent Member of the Standards Committee should resign or otherwise leave office before the end of their term, any replacement Independent Member should serve the remainder of the 4 year term of office to maintain the staggered pattern, or, whether a new 4 year term for that Member should begin from appointment.**
- 1.5 That Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Members positions where the incumbents have been in post since the Standards Committee's inception, with the process being completed in time for the Council's Annual Meeting in May 2008.**
- 1.6 If the principle of staggered terms of office is accepted and should vacancies not arise earlier, that Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in the other two Independent Member positions where the incumbents have been in post since 2005, with the process being completed in time for the Council's Annual Meeting in May 2010.**
- 1.7 That Council be asked to confirm that the incumbent Independent Members of the Standards Committee would be eligible to re-apply for**

**appointment in response to public advertisement referred to in 1.5 and 1.6 above.**

- 1.8 That the Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to prepare a Barnet specific recruitment pack to be sent to prospective Independent Members of the Standards Committee with reference to the model pack issued by the Association of Council Secretaries and Solicitors (ACSeS) and other guidance.**
- 1.9 That the views of the Standards Committee be noted.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 2 May 2001 – Council approved the Constitution.
- 2.2 Various other decisions as referred to in the Standards Committee report which is appended to this report.
- 2.3 17 September 2007 – Standards Committee – Terms of Office for and Recruitment of Independent Members.

The Committee discussed the report and agreed with the general thrust of the proposals that the Director of Corporate Governance was proposing to present in his report to the Special Committee (Constitution Review). The Committee however suggested that there should be some clarification on the proposals being put forward as some of the recommendations could be clearer. As requested, the Committee also made its views known and requested the Director to convey those views to the Special Committee (Constitution Review).

### **RESOLVED –**

- (1) The Committee noted:-
- (a) That it was the intention of the Director of Corporate Governance and Monitoring Officer to present a report to the Special Committee (Constitution Review) dealing with the terms of office of Independent Members of the Standards Committee; and
  - (b) That the purpose of this report was to give the Standards Committee an opportunity to make its views on terms of office of Independent Members known and these views would be passed on to the Special Committee (Constitution Review);
  - (c) That the Director of Corporate Governance and Monitoring Officer and the Governance Manager intend to prepare a Barnet specific recruitment pack with reference to the model pack, issued by the Association of Council Solicitors and Secretaries (ACSeS) and other guidance.
- (2) The Committee agreed:-

(a) That the Director of Corporate Governance and Monitoring Officer convey to the Special Committee (Constitution Review) their view:

(i) that Council should fix a term of office of four years to apply to future appointments for Independent Members of the Standards Committee

(ii) that Council should limit the number of terms of office that an Independent Member serve to two full terms

(iii) that Council should continue to re-appoint Independent Members on an annual basis to allow for the provision of re-appointment within the 4 year term of office to be refused in certain circumstances

(iv) that Council should instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Member positions where the incumbents have been in post since the Standards Committee's inception in 2000, with the process being completed in time for the Council's Annual Meeting in May 2008

(v) That in respect of the two Independent Member positions where the incumbents have been in post since 2005, should the positions not otherwise become vacant earlier, Council should instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in these two Independent Member positions, with the process being completed in time for the Council's Annual Meeting in May 2010

(b) That the Director of Corporate Governance and Monitoring Officer should ask the Special Committee (Constitution Review) to consider whether if an Independent Member should resign before the end of their term, any replacement Independent Member would serve the remainder of the four year term of office to maintain the staggered pattern, or, whether a new four year term for that Member should begin from appointment

### **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

3.1 As set out in the appended Standards Committee report.

### **4. RISK MANAGEMENT ISSUES**

4.1 As set out in the appended Standards Committee report.

**5. EQUALITIES AND DIVERSITY ISSUES**

5.1 As set out in the appended Standards Committee report.

**6. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS**

6.1 As set out in the appended Standards Committee report.

**7. LEGAL ISSUES**

7.1 As set out in the appended Standards Committee report.

**8. CONSTITUTIONAL POWERS**

8.1 Constitution Part 3 - 2 Responsibility for Council Functions. The Committee is empowered to consider and make recommendations to Council on proposed changes to the Constitution.

**9. BACKGROUND INFORMATION**

9.1 As referred to in the appended Standards Committee report and in the views of the Standards Committee as recorded in Paragraph 2.3 of this report.

**10. LIST OF BACKGROUND PAPERS**

10.1 None.

**11. AUTHORS**

11.1 Jeff Lustig, Director of Corporate Governance & Monitoring Officer –  
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CFO: CM



**AGENDA ITEM: 8**

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Meeting	Standards Committee
Date	17 September 2007
<b>Subject</b>	<b>Terms of Office for and Recruitment of Independent Members</b>
Report of	Director of Corporate Governance
Summary	This report invites the Standards Committee to comment upon recommendations that the Director of Corporate Governance and Monitoring Officer will be making to the Special Committee (Constitution Review )in respect of Council setting a fixed term of office for Independent members of the Standards Committee and to note intentions for future recruitment arrangements for Independent Members.

Officer Contributors	Jeff Lustig - Director of Corporate Governance (Monitoring Officer), Donna Knight-Olds - Governance Manager
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A – Results of Survey of Practices at other London Boroughs
For decision by	Standards Committee
Function of	Council
Reason for urgency / exemption from call-in (if appropriate)	N/A
Contact for further information:	Donna Knight-Olds, Governance Manager 020 8359 7156, donna.knight-olds@barnet.gov.uk

## **1. RECOMMENDATIONS**

### **1.1 That the Standards Committee note:**

- a) That it is the intention of the Director of Corporate Governance and Monitoring Officer to present a report to the Special Committee (Constitution Review) dealing with the terms of office of Independent Members of the Standards Committee; and**
- b) That the Director of Corporate Governance and Monitoring Officer intends to recommend to the Special Committee (Constitution Review) that:**
  - i) Council fix a term of office for Independent Members of the Standards Committee of 4 years to apply to future appointments;**
  - ii) Council instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Member positions where the incumbents have been in post since the Standards Committee's inception, with the process being completed in time for the Council's Annual Meeting in May 2008;**
  - iii) Should vacancies not arise earlier, the Council instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in the other two Independent Member positions, where the incumbents have been in post since 2005, with the process being completed in time for the Council's Annual Meeting in May 2010;**
  - iv) Council continue to re-appoint Independent Members on an annual basis to allow for the provision of re-appointment within the 4 year term of office to be refused in certain circumstances**
- c) That the Director of Corporate Governance and Monitoring Officer intends to ask the Special Committee (Constitution Review) to consider whether it wishes to recommend a limit on the number of consecutive terms of office for Independent Members;**
- d) That the purpose of this report is to give the Standards Committee an opportunity to make its views on terms of office of Independent Members known and these views will be passed on to the Special Committee (Constitution Review);**
- e) That the Director of Corporate Governance and Monitoring Officer and the Governance Manager intend to prepare a Barnet specific recruitment pack with reference to the model pack, issued by the Association of Council Solicitors and Secretaries (ACSeS) and other guidance;**

### **1.2 That the Standards Committee comment upon the recommendations that the Director of Corporate Governance and Monitoring Officer will be making to the Special Committee ( Constitution Review ) in respect of Council setting a fixed term of office for Independent Members of the Standards Committee.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 10 November 1999 - Policy and Implementation Committee recommended to Council the establishment of a Standards Committee and proposed its initial terms of reference.
- 2.2 17 November 1999 – Council approved the establishment of the Standards Committee, agreed its terms of reference and instructed the Chief Executive to seek expressions of interest from independent persons.
- 2.3 16 May 2000 - Council following public advertisement appointed three independent people to serve on the Standards Committee and instructed that the fourth position be re-advertised.
- 2.4 14 September 2000 – Council following public advertisement appointed a fourth Independent Member and appointed one of the Independent Members as Chair.
- 2.4 1 March 2005 - Council appointed two replacement Independent Members with immediate effect for one and with effect from the Annual Meeting in May 2005 for the other.
- 2.5 Annual Meetings 2001-2007 – Council re-appointed existing Independent Members to the Standards Committee

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 Under the Council's Corporate Plan for 2007/08 to 2010/11, one of the corporate priorities is 'More Choice, Better Value' and a key objective within this priority is 'enhancing and further developing corporate governance'. The proposals in this report will enhance the corporate governance arrangements related to the Standards Committee in line with identified best practice.
- 3.2 A key objective under the 'Strong and Healthy' priority is 'providing opportunities for people to participate in civic affairs'. Becoming an Independent Member is an important way of participating in civic affairs and so the arrangements around this are highly pertinent to this objective.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 There is a risk that if an Independent Member becomes associated with the Council for an extended period they may lose their independence, or be perceived to have done so. However, there can be significant benefit to the Council from experienced Independent Members, particularly in the role of Chairman. Proposing too brief a term of office and/or too restrictive conditions for re-appointment brings a risk that consistency will be lost and the Standards Committee would suffer through having a less experienced membership. This report proposes a balance between retaining experienced Members and facilitating opportunities for other residents to apply for a position.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 The Council's standard equalities and diversity principles for recruitment will be applied to the recruitment of Independent Members.

## **6. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS**

- 6.1 There are no direct financial (other than advertising and other incidental costs), staffing or property implications arising from this report.

## **7. LEGAL ISSUES**

- 7.1 The Standards Committee is a statutory body required under the Local Government Act 2000 to fulfil the constitutional powers set out in paragraph 8 of this report. The Council is required by the Local Government Act 2000 to appoint Independent Members (at least 25% of the total number if the Committee has more than 3 Members) to the Standards Committee through a process of advertising vacancies. Legislation does not specify a term of office for Independent Members, this being left to local discretion.

## **8. CONSTITUTIONAL POWERS**

- 8.1 This Committee is empowered with promoting and maintaining the high standards of conduct by members and co-opted members, assisting members to observe the code of conduct, advising the Council on the code and monitoring its operation.

## **9. BACKGROUND INFORMATION**

- 9.1 Barnet Council established its Standards Committee in November 1999 prior to the coming into force of the Local Government Act 2000. The Committee first met in March 2001 composed, as now, of 3 elected Members, 4 Independent Members and an Independent Chairman. As will be noted, Barnet had a majority of Independent Members on its Standards Committee, and an Independent Chairman, from the outset; the latter of these characteristics will soon become a statutory requirement.
- 9.2 The position thus far has been that Independent Members have been appointed when a vacancy has arisen. Recruitment has been by way of public advertisement and interviews conducted by Senior Officers. Council has made the appointments on the recommendation of the Officers. The term of office of those appointed has not previously been defined by a fixed tenure but appointments have been subject to confirmation every year at the Council's Annual Meeting. Thus, each May, Independent Members have been appointed for the Council year following. Councillor Members of the Standards Committee are also appointed annually at the same meeting and this will continue.
- 9.3 The Standards Board for England recommends a term of office for Independent Members similar to that of elected members. Accordingly, as reflected in the findings in Appendix A, most London authorities appoint Independent Members for a period of between 2 and 4 years. The intention is to recommend the same length of term as the election period for London Boroughs; that is 4 years. Adoption of the longer period from the recommended range places an emphasis on the benefits of experience and consistency.

- 9.4 Two of the four current Independent Members of the Standards Committee have served on the committee since its inception. The other two Independent Members were appointed in March 2005, with immediate effect for one, and with effect from the Annual Meeting in May 2005 for the other. It must be emphasised that the proposed changes are being brought forward for consideration at this time solely to accord with principles of good governance and transparency. The service of Barnet Standards Committee's Independent Members has been exemplary and this report is not intended to reflect in any sense upon their performance or calibre. The recommendations in respect of fixed terms of office should facilitate regular opportunities for interested members of the community to apply to become Independent Members without precluding experienced and engaged individuals from applying for re-appointment
- 9.5 The recommendation is that Council be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements seeking interest in the two Independent Member positions where the incumbents have been in post since the Standards Committee's inception, with the process being completed in time for the Council's Annual Meeting in May 2008. This would mean that one of the Independent Members concerned would have served for 8 years and the other for 7 years and 8 months. The positions would be advertised and both the Independent Members concerned would be advised that they would be eligible to re-apply [subject to any decision of Council in relation to paragraph 1.1 (c)].
- 9.6 Should vacancies not arise earlier, the Council will also be asked to instruct the Director of Corporate Governance and Monitoring Officer to place public advertisements at the appropriate time seeking interest in the other two Independent Member positions where the incumbents have been in since 2005, with the process being completed in time for the Council's Annual Meeting in May 2010. This would mean that one of the Independent Members would have served for five years and the other for five years and two months. These positions would also be advertised and both the Independent Members concerned would be advised that they would be eligible to re-apply [subject to any decision of Council in relation to paragraph 1.1 (c)].
- 9.7 It is considered inadvisable for many memberships to be subject to renewal at the same time. If the proposals in paragraph 9.5 and 9.6 are pursued this means that there should usually be Independent Members with at least 2 years experience on the Committee, which is particularly beneficial for the position of Chairman. It will also ensure that the Council is not seeking a significant number of Independent Members at the same time.
- 9.8 It must be noted, however, that Independent Members can resign from the Committee at any time and the replacement Member's term of office would commence from their appointment so patterns are likely to change over the years.
- 9.9 The Director of Corporate Governance and Monitoring Officer will propose retaining the current practice of re-appointing the Independent Members each year when the Standards Committee is appointed at the Annual Meeting. This brings benefits both of consistency with other committees and of the Council retaining the ability to refuse to re-appoint an Independent Member if there were issues related to, say, poor levels of attendance at Standards Committee meetings or other matters persuading the Council that the Independent Member had not been properly carrying out his or her responsibilities. It will further be proposed that such powers should only be used exceptionally and in circumstances where the continued

appointment of the Independent Member would be likely to be detrimental to the work and/or reputation of the Standards Committee.

- 9.10 ACSeS issued a best practice model recruitment pack for the appointment of independent members of standards committees in October 2006. The content of the pack is the result of experience gained by Monitoring Officers in local authorities across England. General guidance is also available from the Standards Board and other sources. It is intended to develop a Barnet pack with reference to the model pack and other best practice guidance. It is particularly important that the calibre of membership is seen as robust and fully independent given the greater responsibilities being devolved to local Standards Committees by the Standards Board for England in respect of local determination of allegations in respect of breach of the Code of Conduct.

## **10. LIST OF BACKGROUND PAPERS**

- 10.1 None.

	Barking & Dagenham	Barnet	Brent	Bromley	City	Ealing	Enfield	GLA	Greenwich	Hackney
How many Independent Members sit on your Standards Committee?	3	4 (3Cllrs)	2 (3cllrs)	4	4	3	2	4	3	7 (5cllrs)
Who interviews your candidates for Independent Member?			Democ Services Manager & Borough Solicitor (MO) with opportunity given to the 3 group leaders to comment on any application.	Selected group of cllrs	Chairman of the General Purposes Committee of Aldermen, Chairman of the Policy and Resources Committee and the Chief Commoner.	Director of Legal Services	Cllrs	An appointments panel, made up of members of the SC, (in future this will include at least one independent member), is appointed by the SC to carry out the selection exercise.	The 3 cllrs (one from each of the Political Parties on the Council) who sit on our SC (the Probity and Conduct Panel)	MO & Head of Services for Cllrs
Do you have fixed terms of office for your members?	No	No	2 years	Yes	Yes	Yes	Yes	Yes	Yes	Yes
If so, how long is the term?			Existing members free to apply again but seen as giving a chance to introduce new blood or, if necessary, removing someone who did not have the support to continue.	2 years & 4 years	Maximum 2 terms of 4 years.	4 years	4 years or the duration of the administration if appointed mid-term.	4 years	3 years	4 years and can apply for a second term
If so, has this always been the case?	Yes		No	No	Yes	Yes	Yes	No	Yes	No
If not, can you give any details about making the change?				In 2006, we changed the period of appointment in 2006 so that half the IMs changes every two years. i.e. 2 new in 2008; 2 new in 2010				To avoid all the independent members being subject to renewal of membership at the same time, two were appointed in January 2006 with terms of office to serve until January 2008 and two were appointed with terms of office to serve until January 2010.		Recent change following best practice guide from ACSes & agreed by Standards Cttee

	Barking & Dagenham	Barnet	Brent	Bromley	City	Ealing	Enfield	GLA	Greenwich	Hackney
Are your Standards Independent Members re-appointed every year at the Annual Meeting?	Ratified rather than re-appointed	Yes		No	Yes	Yes	Yes	Yes	No	Not now
If so, is there any provision for/experience of re-appointment being refused?		Provision but no experience				Not aware of any		Never happened		No
Do you have any other comments/experiences to share regarding the term of office of Independent members?	We may reconsider in light of best practice.		The term of office is designed to ensure the dangers of Members becoming permanent fixtures are avoided but the difficulty can be in attracting new people to the job.			No	It's a balance between continuity and bringing in new blood. This can be achieved by competitive interviews every 4 years which happens in Enfield.		We did try and stagger appointments so one of the independent members is appointed each year.	



	Hammersmith & Fulham	Harrow	Havering	Hillingdon	Hounslow	Islington	Kensington & Chelsea	Kingston	Lambeth	LEPA	Medway
How many Independent Members sit on your Standards Committee?	3	4	2 now was 4	2	3 (4cllrs)	3 now 4 soon	2 (3cllrs)	3	5	2	5
Who interviews your candidates for Independent Member?	SC Appointments Panel (includes Leader & Opp.Leader)	cross-party 3 Member Selection Panel est. by Standards Cttee & chaired by its Chair	Two stage process – initial interview by ACE and senior manager in Dem.Services, then shortlisted candidates interviewed by Members who make final decision	Cllrs on SC and MO.	MO + 3 Members of Cttee.	Personnel Sub-Cttee (Members)	A member panel	Head of Legal Services (MO) and Head of Democ Services & Partnership	Panel of officers, with member observers	Officers but in consultation with the three elected Members of the SC	MO & Chair
Do you have fixed terms of office for your members?	No	Yes	Yes	No	Yes	Yes	Yes	No (annually)	No	Yes	No but plan to
If so, how long is the term?		4 years	2 years		2 years	4 years	5 years		Yes	1 for 2 years & 1 for 4 years	
If so, has this always been the case?		Yes	No		Yes	Yes	Yes		No	No	
If not, can you give any details about making the change?			Decision at political level						We are currently considering whether new members should be sought, in consultation with the existing members. Our current members have served between 5 years and 2.5 years.	responded to Standards Board guidance	

	Hammersmith & Fulham	Harrow	Havering	Hillingdon	Hounslow	Islington	Kensington & Chelsea	Kingston	Lambeth	LEPA	Medway
Are your Standards Independent Members re-appointed every year at the Annual Meeting?	Yes	No	No	Yes	No	No	Not as members of SC but appointed to positions of C & VC annually.	Yes		No	Yes
If so, is there any provision for/experience of re-appointment being refused?	implicitly not explicitly			No	no experience of		Not been an issue	No			No
Do you have any other comments/experiences to share regarding the term of office of Independent members?	We seek to preserve our independent members' knowledge & experience of the system and the authority's ethical governance processes, and value their continuity. That is not to say they have become permanent fixtures, as they are always at arm's length from the authority and can view matters objectively at a distance. The statutory advertisement process is cumbersome, protracted and costly. We prefer to use it only when we must (eg. when someone resigns).		We will not renew appointments.	They are permanent fixtures at Hillingdon. Regularly attend Whips meeting. Respected by all, and have seen an improvement in the Members behaviour over time.	One of our independent members who has served two terms, has recently decided to resign, partly because she feels it important for new people to become involved. I think it is wise for the Council to review membership periodically to ensure that there is an appropriate balance of skills and experience, including new blood every so often. Part of the Monitoring Officer role is no doubt to develop a positive working relationship as a result of which members of the Committee, independent or councillors, will be receptive to advice and guidance.	We have re-appointed chair for a further 4 year term given his experience	Previous Chair stepped down after 4 years (voluntarily)	As it doesn't meet that often and it takes time for members to build up some experience some continuity is useful, particularly if the Chair is an IM (ours is)			We have had problems in recruiting IMs and keeping them.

	Newham	Oxford	Richmond	Sutton	Wandsworth
How many Independent Members sit on your Standards Committee?	5	3	6	5	2
Who interviews your candidates for Independent Member?	Head of Member Service, Head of Legal Services and an elected member on Standards Cttee	Nominated councillor members of the Standards Cttee	MO & 3 SC Cllr Mens	MO & Dep MO	MO shortlists in conjunction with Chair. Interviews by SC
Do you have fixed terms of office for your members?	Yes	Yes	Yes	Yes	Yes
If so, how long is the term?	4 years with review after 2 years	3 years	4 years mirroring the council's election cycle, so all independent members were up for appointment last year (it's usually done a couple of months after the election so not everything changes at the same time). The current appointments run to August 26 2010. If new independent members are appointed during the 4 year period (as we've done recently) they serve a reduced term, in the same way cllrs would if they're elected at a by-election.	3 Years on a rolling basis i.e. some change every year. Members may only serve 2 terms.	3 years staggered to provide continuity
If so, has this always been the case?	Yes	Yes	No	Introduced soon after Standards Cttee established	Yes
If not, can you give any details about making the change?			Initially terms were 3 years, but the council agreed to follow the elections cycle in 2003.	Standards Cttee approved the change	

	Newham	Oxford	Richmond	Sutton	Wandsworth
Are your Standards Independent Members re-appointed every year at the Annual Meeting?	No	No	No (except as Chair & VC)	Yes	There is a 're-statement' for completeness as cllrs are appointed. IMs terms of office do not end at the time of the Annual Meeting, so when new appointments (or re-appointments) are made these will be done at other Council meetings at the appropriate time.
If so, is there any provision for/experience of re-appointment being refused?				IMs put forward by the MO	No
Do you have any other comments/experiences to share regarding the term of office of Independent members?		No, other than to say that it is difficult to get independent members. We recently placed an advert for two and received only two applications. One was suitable, the other not. I would rather, in those circumstances, to retain those interested and able as long as they remain so.		No	The only changes of IMs have been because their term of office has come to an end and they did not wish to continue.