

COUNCIL:

27 JANUARY 2022

**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL
SERVICES AND MONITORING OFFICER**

**STANDARDS & ETHICS COMMITTEE - INDEPENDENT MEMBER
APPOINTMENTS**

Reason for this Report

1. To seek Council's approval for the appointment of two independent members of the Standards and Ethics Committee.

Background

2. The Constitution provides that the Standards & Ethics Committee shall have five independent members, three county councillors and one community councillor – Constitution Article 9.2(a).
3. One vacancy has arisen for an independent member of the Committee following the expiry of the second term of office of the former Chair, Professor James Downe on 2 November 2021. A further vacancy will arise on the 22 June 2022 when the second term of office of Independent Member and current Chair, Hollie Edwards-Davies, will expire.
4. The Standards and Ethics Committee approved arrangements for a public appointments process to fill both vacancies, in line with the statutory requirements, at its meeting in March 2021.
5. The Standards Committees (Wales) Regulations 2001 provide that the Committee shall elect its Chair and Vice-Chair from amongst the Independent Members of the Committee. The Committee duly elected Hollie Edwards-Davies as Chair, and Chrissie Nicholls as Vice-Chair, with effect from 2 November 2021. When Ms Edwards-Davies' term of office ends in June 2022, a new Chair will need to be elected by the Committee.

Issues

6. As the Constitution requires the Standards and Ethics Committee to have five Independent Members, the Council needs to make one new appointment to fill the current vacancy and another appointment to fill the further vacancy which is due to arise in June 2022.

7. The appointment of members of the Standards and Ethics Committee is governed by the Standards Committees (Wales) Regulations 2001 (as amended) (“the Regulations”) and the Council’s Constitution.
8. The Regulations require a public recruitment process to be followed for an Independent Member vacancy, specifically, the Council must:
 - a) advertise the vacancies in at least 2 newspapers circulating in its area, and may additionally advertise the vacancies in its own newspaper;
 - b) set selection criteria and publish those criteria in the advertisement of the vacancies;
 - c) establish an Appointments Panel, comprised of up to five panel members, and including one lay panel member and one Cardiff community councillor; and
 - d) arrange for the Appointments Panel to assess all applications against the published criteria and make recommendations on the appointments to Council for approval.
9. The Regulations provide that an Independent Member’s term of office must be set at between four and six years and that an Independent Member may be reappointed for one further consecutive term of up to a further four years only.
10. In accordance with the arrangements approved by the Standards and Ethics Committee in March 2021 and the requirements of the Regulations, the vacancies have been advertised (in the Western Mail October 2021 and South Wales Echo October 2021). The vacancies have also been published through the Council’s Website, a media brief and social media links; and shared with Elected Members, Community Council Clerks, WLGA and partner networks and in particular minority and disability groups to encourage applications from a more diverse group of candidates.
11. A total of eight applications were received in response to the advertisements. An Appointments Panel comprised of Jackie Griffiths, as lay panel member; Community Councillor Stuart Thomas and Hollie Edwards-Davies, Chair of the Standards & Ethics Committee and Independent Member has assessed all applications received against the published criteria, and shortlisted and interviewed three candidates.
12. The Appointments Panel has recommended the appointment of two new independent members: Mr David Mills (to fill the current vacancy) and Mr Rashpal Singh (to fill the vacancy due to arise in June 2022), subject to satisfactory references, which have been received.

Legal Implications

13. The legal implications are contained within the body of the report.

Financial Implications

14. There are no direct financial implications arising from this report. Independent Member remuneration payments are made in accordance with the rates applicable through the Members’ Schedule of Remuneration, and contained within the allocated budget.

RECOMMENDATIONS

Council is recommended to approve the appointment of (1) Mr David Mills (effective immediately) and (2) Mr Rashpal Singh (with effect from the date that the second vacancy arises), as independent members of the Standards and Ethics Committee, for a term of 4 years in each case.

Davina Fiore

Director of Governance and Legal Services and Monitoring Officer

21 December 2021

Background papers

Standards and Ethics Committee report, 'Independent Member Appointments', 3 March 2021