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

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**INDEPENDENT MEMBER APPOINTMENTS**

**Reason for this Report**

1. To note the two Independent Member vacancies which are due to arise, and agree arrangements for a public appointment process to fill the vacancies.

**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. The terms of office of Committee members has been reviewed and it is noted that two independent member vacancies are due to arise shortly.

**Issues**

4. The terms of office of the five independent members on the Committee are as follows:

Professor James Downe (Chair)	Second term of office ends on 01/11/2021
Hollie Edwards-Davies (Vice-Chair)	Second term of office ends on 21/06/2022
Jason Bartlett	First term of office ends on 28/11/2023
Arthur Hallet	
Chrissie Nicholls	

5. Members will note that the second term of office of the Chair, Professor James Downe, is due to expire on 1<sup>st</sup> November 2021. As this is his second term of office, no further reappointment is possible under the Regulations (the Standards Committees (Wales) Regulations 2001, as amended).

6. Similarly, the second term of office of the Vice-Chair, Hollie Edwards-Davies, is due to expire on 21<sup>st</sup> June 2022 and no further reappointment is possible.
7. As the Constitution requires the Standards and Ethics Committee to have five Independent Members, the Council needs to make two new appointments to fill the vacancies arising in November 2021 and June 2022.
8. Members may wish to note that the terms of office of the elected Members on the Committee, including the Community Council representative, continue until the next ordinary local government elections, scheduled for May 2022.
9. 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.
10. The Regulations require a public appointment 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 (the lay panel member must be a person who is not, and has not been, a member, co-opted member or officer of a county or community council; and is not the spouse or civil partner of a member or officer of a county or community council) 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.
11. The Regulations provide that an Independent Member's term of office must be set at between four and six years. It is recommended that an appointment be made for 4 years. A second term of 4 years may then be served.

#### Public Advertisement

12. A draft advertisement for the vacancies and person specification, based on the documentation used previously (for the recruitment of Independent Members in 2019) are attached as **Appendices A and B** respectively. Members are invited to provide any comments on these documents.
13. The Monitoring Officer will make arrangements for the vacancies to be advertised in accordance with the Regulations. Previous vacancies have been advertised in the Western Mail and South Wales Echo, as well as on the Council's Website and publicised via social media links, shared with Elected Members, Community Council Clerks, the WLGA and partner networks including the Third Sector Council and minority and disability groups to encourage applications from a diverse range of candidates.

### Appointments Panel

14. The Committee is required to set up an Appointments Panel comprised of one lay panel member and one Cardiff community councillor; and may appoint up to three additional Panel members. An odd number of members is usually advisable to facilitate a majority decision.
15. Members may wish to note that for the appointments process carried out in 2019, the Appointments Panel was comprised of three members: one lay member, one Community Councillor and one Independent member. The recommendation is that the Panel should again comprise of three members, as previously.
16. The lay person position on the 2019 Appointments Panel was filled by Kate Thomas, CVO and JP. Previously, a lay member of the Education Appeals Panel has undertaken this role.

### Timescale

17. It is suggested that the public advertisements should be placed in mid-June 2021, before the summer break, so that shortlisting can be carried out in early September and interviews held in late September / early October, with the aim of recommending suitable appointees to full Council for approval in October 2021.

### Chair

18. Members may also wish to note that the Committee will need to elect a new Chair to take up the position after the expiry of the current Chair's term of office on 1<sup>st</sup> November 2021.

### **Legal Implications**

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

### **Financial Implications**

20. There are no financial considerations beyond the cost of the recruitment advert, which will be met from within the Directorate budget.

## **RECOMMENDATIONS**

The Committee is recommended to:

1. Provide any comments on the draft Independent Member Vacancy advertisement (**Appendix A**), person specification (**Appendix B**) and the proposed arrangements for the appointments process;
2. Agree the establishment of an Appointments Panel comprised of three members, as set out in paragraphs 14 to 16 of the report, with delegated authority to shortlist and interview candidates and make recommendations on appointment;
3. Authorise the Monitoring Officer, in consultation with the Chair, to make all necessary administrative arrangements for the public appointments process, including advertisement of the vacancies and convening of the Appointments Panel; and
4. Note that the recommendations of the Appointments Panel on the appointment of the two independent members to the Committee will be submitted to full Council for approval.

**Davina Fiore**

**Director of Governance and Legal Services and Monitoring Officer**

11<sup>th</sup> February 2021

### Appendices

Appendix A	Independent Member Vacancy - Advertisement
Appendix B	Independent Member Person Specification

### **Background papers**

Council report, 'Standards and Ethics Committee – Independent Member Appointments, November 2019