

Devon and Cornwall Police Authority

11 December 2009

Open for the purposes of FOI

Report of the Assistant Chief Executive

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## Independent People on the Standards Committee

### Recommendations:

- (i) that Mr Harvey is re-appointed as an Independent Member of the Standards Committee for a 2 year period to expire on 31.12.11
- (ii) That Mrs Mayes is re-appointed as an Independent Member of the Standards Committee for a 4 year period to expire on 31.12.13

### Introduction

1. Legislation requires the Authority to have a Standards Committee comprising at least three people and for at least 25% of that committee to be independent. (In this context "independent" means independent of the Authority and recruited specifically for the purpose of serving on the Standards Committee). Legislation also requires that the Chair of the Standards Committee is an independent person.
2. This Authority's Standards Committee has provision for a membership of 7 people - 3 Independent People and 4 Members of the Authority.
3. Currently there is a vacancy for 1 independent person and the terms of office of the 2 serving independent people come to an end on 31 December 2009.

### Background Information

4. The Authority decides how to select independent people and the how long an independent person should be appointed for. It is generally accepted that 10 years is the maximum period for a person to hold an independent or public service role. Standards for England recommends terms of office fixed at 4 years with a maximum of 2 consecutive terms of office for any one person serving on a standards committee.
5. The appointment of Independent People to the Standards Committee must be approved by a majority of the Members of the Authority.
6. The current independent people are Mr Martin Harvey and Mrs Anne Mayes (Chair and Vice-Chair respectively). As at 31 December 2009 Mr Harvey will have served 2 terms of office and Mrs Mayes 1 term of office.
7. It is desirable that there is some continuity of knowledge and experience amongst the independent people which suggests that staggered rather than concurrent terms of office is preferable.
8. Recent legislation and Guidance from Standards for England has suggested that authorities look at working together with the possibility of forming joint committees. There is some debate nationally as to whether or not current legislation enables police authorities to have joint Standards Committees. Where joint committees are established there will need to be agreement as to whether independent members are recruited jointly or if they are recruited locally by the constituent authorities.
9. Taking into account all the factors outlined above and particularly the uncertainty about joint

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working arrangements and the wish for continuity of knowledge and experience it is suggested that Mr Harvey is re-appointed for 2 years – his term of office to expire on 31.12.11 and Mrs Mayes is re-appointed for a 4 year term to expire on 31.12.13.

### Background Papers:

- The Role and Make up of Standards Committees (Standards for England)
- Local Government Act 2000 S53
- Statutory Instrument 2001 No 2812
- The Commissioner for Public Appointments' Code of Practice for Ministerial Appointments to Public Bodies
- Local Government and Public Involvement in Health Act 2007 S187

### Contact for further information

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