

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Appointment of Lead Independent Person
Meeting/Date:	Corporate Governance Committee – 28th January 2026 Council – 25th February 2026
Executive Portfolio:	Councillor J E Harvey, Executive Councillor for Governance and Democratic Services
Report by:	Elections and Democratic Services Manager & Deputy Monitoring Officer
Ward(s) affected:	All

Executive Summary

The Localism Act 2011 established the requirement for every principal authority to appoint one or more Independent Persons whose views must be sought and considered when dealing with allegations that members have breached the Code of Conduct. The term of office of the current Lead Independent Person expires on 30th April 2026.

The Council is responsible for ensuring that the requirement to have Independent Persons is complied with.

The role of the Independent person were widened under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. These regulations changed the localised disciplinary process in relation to the Council's Head of Paid Service, the Chief Finance Officer and the Monitoring Officer Statutory Positions. In the case of any proposed disciplinary action against such a Statutory Officer, the Council is required to appoint the Independent Person who has been appointed for the purposes of the Member's Code of Conduct regime to the Independent Panel who make recommendations to Council regarding any decision to dismiss a statutory officer.

After consultation with the current Lead Independent Person, it is recommended that the appointment of Gillian Holmes is reaffirmed. The Corporate Governance Committee is

RECOMMENDED

that for the purposes of Section of 28 of the Localism Act 2011, the Council affirm the re-appointment of Gillian Holmes to the post of

Lead Independent Person for a further two-year period to 1st April 2028 without the need for further ratification in each year by the Council at its Annual Meeting.

1. WHAT IS THIS REPORT ABOUT?

- 1.1 This report provides the Corporate Governance Committee with an opportunity to recommend to Council the appointment of Independent Persons as required by the Localism Act 2011.

2. BACKGROUND

- 2.1 The Localism Act 2011 requires every principal authority to appoint one or more Independent Persons. The Act contains strict rules preventing a person from being appointed if they are a friend or relative to any member or officer of the authority, or of any parish council within the authority's area. It also prescribes the role of Independent Persons. They must be consulted before the authority takes a decision to investigate any allegation.
- 2.2 Independent Persons, furthermore, may be consulted by a Member of the authority against whom an allegation has been made, as well as by a Parish Councillor in similar circumstances.
- 2.3 The role of the independent person was widened under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. These regulations changed the localised disciplinary process in relation to the Council's Head of Paid Service, the Chief Finance Officer and the Monitoring Officer Statutory Positions. In the case of any proposed disciplinary action against such a statutory officer, the Council is required to appoint the independent persons who have been appointed for the purposes of the Member's Code of Conduct regime to the Independent Panel who make recommendations to Council regarding any decision to dismiss a statutory officer.
- 2.4 Gillian Holmes has been the Council's Lead Independent Person since September 2013 and brings a wealth of valuable knowledge and experience to the role. She also holds similar positions at other authorities with the Cambridgeshire area. Given the valuable contributions of impartial advice made by Gillian Holmes and the excellent working relationship established with the Monitoring Officer and Deputy Monitoring Officer in the period since her appointment, it is suggested that her term of office should be extended to 1st April 2028.
- 2.5 The previous term of appointment was until 30th April for a further two-year period, but as the Council is going through Local Government Reorganisation the period has been extended to 1st April 2028, to coincide with the vesting date of the new unitary authority. Whilst the regulations only require the Council to appoint at least one Independent Person to deal with complaints, the post of Deputy Independent Person remains vacant, and a recruitment process is required to be undertaken to fill this role. This will allow for any occasion when there may be a conflict of interest involving the Lead Independent Person.

3. CONSULTATION

- 3.1 The Lead Independent Person has been consulted and has indicated that she is willing to continue with her role in assisting the Corporate Governance Committee and with Code of Conduct investigations for a further two-year term.

4. LEGAL IMPLICATIONS

- 4.1 Section 28 of the Localism Act 2011 requires the appointment of at least one Independent Person who may not be a member, a co-opted member or officer of the authority or of a parish council within the authority area. Neither may they be a close friend or relative of any of the above.

5. RESOURCE IMPLICATIONS

- 5.1 The Lead Independent Person receives an allowance of £1,119 respectively and shall also be entitled to claim travel for attending meetings and training events.

6. CONCLUSION

- 6.1 It is necessary for the Council to consider and resolve these appointments in advance of their terms of office expiring. In so doing, this will provide continuity in the roles that are prescribed in legislation.

BACKGROUND PAPERS

District Council's Constitution

Localism Act 2011

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

Corporate Governance Committee Reports/Minutes.

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