

Council Meeting	
Meeting Date	22 July 2026
Report Title	Recruitment of Independent Persons
EMT Lead	Robin Harris, Monitoring Officer
Head of Service	
Lead Officer	Jo Millard, Democratic and Electoral Services Manager
Classification	Open
Recommendations	1. That Full Council appoints the existing Independent Persons, Mr Christopher Webb and Mrs Patricia Richards, together with Mr Alan Harrison as Independent Persons for a period of three years from September 2026, or until the cessation of Swale Borough Council, whichever is earlier.

1 Purpose of Report and Executive Summary

- 1.1 In accordance with the provisions of the Localism Act 2011 (the Act), the Council on 16 May 2012 agreed the adoption of a new Code of Conduct for members and co-opted members. In September 2017, Council formally approved the appointment of Patricia Richards and Christopher Webb to the positions of Independent Persons for a four-year period. These appointments were extended in 2021 for a further four years to September 2025 and for a further year to September 2026.
- 1.2 The purpose of this report is to seek Council approval to extend the period of appointment of Patricia Richards and Christopher Webb and to appoint Alan Harrison as Independent Persons for a period of three years from September 2026, or until the cessation of Swale Borough Council, whichever is earlier.

2 Background, Context and Proposals

- 2.1 The Act requires the Council have in place arrangements under which, firstly, standards complaints can be investigated, and secondly decisions on complaints can be made. As part of that process, the Act envisaged a role for an 'Independent Person.'
- 2.2 The Council is required to appoint at least one Independent Person. Although not members of the Standards Committee, the Independent Persons' views are to be sought and taken into account by the Committee when considering complaints about the conduct of a member or co-opted member of the authority.

- 2.3 Since the current Code of Conduct was adopted there have been ten complaints about Members which have reached the stage of formal consideration by the Standards Committee, thereby requiring the Independent Persons' involvement.
- 2.4 The appointment of Independent Persons was made after the positions had been advertised to the general public and Patricia and Christopher were appointed following the submission of expressions of interest and a formal interview process. Moving forward, Patricia and Christopher have indicated their willingness to continue in their roles.
- 2.5 At a previous Council meeting held in July 2025, Members resolved that the period of appointment of Patricia Richards and Christopher Webb as Independent Persons be extended to September 2026, and that the Standards Committee review the mechanism of recruitment in order to broaden the scope to appoint future independent persons.
- 2.6 At the Standards Committee meeting on 24 March 2026, the Monitoring Officer advised that he had approached Maidstone Borough Council's Independent Person, Mr Alan Harrison. Mr Harrison has extensive experience as a Head of Legal and Monitoring Officer at other authorities and currently serves as the Independent Person for another local authority outside the area.
- 2.7 The Standards Committee supported the reappointment of the existing Independent Persons, Mr Webb and Mrs Richards, together with the appointment of Mr Harrison, subject to Council approval. Members noted that, given the complexities associated with Local Government Reorganisation (LGR), it would be prudent to retain three Independent Persons. This would provide greater flexibility in allocating matters according to each individual's experience and expertise.

3 Recommendations

- 3.1 Council is asked to agree the extension to the existing Independent Persons Mrs Richards and Mr Webb, together with the appointment of Mr Harrison.

4 Alternative Options Considered and Rejected

- 4.1 The Council could re-advertise again and interview for positions, but this would incur additional time and expense.
- 4.2 The Council could appoint only one Independent Person to satisfy the requirements of the Localism Act. This is not recommended as previous experience has shown that failure to build in resilience can cause delay in dealing with complaints due to non-availability and can leave the Council vulnerable should the Independent Person choose to step down from the position.

5 Consultation Undertaken or Proposed

- 5.1 Consultation and discussion has taken place with the Standards Committee who all agreed the proposal.

6 Implications

Issue	Implications
Corporate Plan	The appointment and extension of the Independent Persons enables the Council to demonstrate good governance and discharge its duty to promote and maintain high standards of conduct.
Financial, Resource and Property	The remuneration for the post is included in the budget for statutory committees.
Legal, Statutory and Procurement	Section 28 of The Localism Act 2011 prescribes the procedure that a local authority must follow if it wishes to appoint one or more Independent Persons. There is nothing in the Act which prohibits the extension of appointments of Independent Persons.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	None identified at this stage
Health and Wellbeing	None identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	Risks of non-compliance with legal requirements will be mitigated by the actions suggested in the recommendations to the report.
Equality and Diversity	No adverse equality or diversity implications, procedures apply equally to everyone.
Privacy and Data Protection	None identified at this stage.
Local Government Reorganisation	The Local Government Reorganisation does not currently affect the proposal as governance arrangements will be reviewed once a new authority is established.

7 Appendices

7.1 None

8 Background Papers

Link to Standards Committee meeting: [Agenda for Standards Committee on Tuesday, 24 March 2026, 7.00 pm](#)

Link to Council meeting [Agenda for Council on Wednesday, 30 July 2025, 7.00 pm](#)