West Surrey Shadow Authority		
Report title: Recruitment process for appointment of Independent Person(s)		
Report to: West Surrey Standards Committee		
Date: 2 November 2026		
Executive Portfolio Holder: Councillor Victoria Kiehl, Portfolio Holder for Governance, Democracy and Corporate Services		
Report of Statutory Officer: Susan Sale, Monitoring Officer (interim)		
Report author(s): Arabella Davies, Work Stream Lead for Constitution and Shadow Authority		
Wards affected: All **Ward councillors informed:** No		
Exempt from publication: Yes/No/Partially		
Key Decision: No	**If a Key Decision, date registered on Forward Plan:** Not Applicable	
Report cleared for publication by:		
People Workstream	Shella Smith	15 October 2026
Equalities Impact Assessment complete	N/A	N/A
Implementation Team Leader (or their delegate)	N/A	N/A
S151 Officer	Susan Sale on behalf of Vicky Radford	21 October 2026
Monitoring Officer	Susan Sale	21 October 2026
Executive Portfolio Holder consultation	Councillor Victoria Kiehl	21 October 2026
Committee Chair consultation	Councillor Richard Wilson	21 October 2026
Head of Paid Service	Susan Sale on behalf of Andy Brown	21 October 2026

1. Executive Summary

1.1 The Council is required under section 28 of the Localism Act 2011 to appoint "independent persons" who provide guidance and support to councillors in matters relating to the Council's Code of Conduct for councillors.

1.2 This report seeks the Committee's approval to carry out a recruitment process for independent persons for West Surrey Council.

1.3 At the conclusion of the recruitment exercise, the proposed selection of Independent Person(s) will be presented to the Standards Committee for consideration and onward recommendation to the Shadow Authority for approval.

2 Recommendations:

2.1 That the Standards Committee resolves:

2.1.1 **To authorise the Monitoring Officer to commence the recruitment of independent persons under s.28 of the Localism Act 2011 by way of external advertisement and assessment by the Standards Committee, supported by the Monitoring Officer.**

3 Reason(s) for recommendation:

3.1 To comply with the provisions set out in the Localism Act 2011, the Shadow Authority is required to appoint at least one Independent Person to assist with the arrangements for dealing with complaints against Councillors (including Co-Opted Members) and other matters relating to any proposed dismissal of a Statutory Officer.

3.2 The existing appointments of Independent Persons, as previously considered by this Committee and approved by the West Surrey Shadow Authority, will expire on 31 March 2027. New appointments are therefore required for Vesting Day onwards.

4 Next steps

4.1 Subject to agreement by the West Surrey Shadow Standards Committee, the recruitment exercise will commence in November. Thereafter interviews with applicants will be held and proposals for the appointment of Independent Persons will be brought back to this Committee for consideration and onward recommendation to the West Surrey Shadow Authority in February 2027, to enable the appointments to be made in time for Vesting Day on 1 April 2027.

5 Exemption from publication

5.1 None of this report is exempt from publication.

6 Background and Proposal

6.1 The Council is required under section 28 of the Localism Act 2011 (the Act) to appoint at least one Independent Person under its arrangements for investigating complaints about elected and co-opted members and complaints about a member or co-opted member of a parish council of which the council is the principal authority under the Code of Conduct.

6.2 Under the Act, an Independent Person must be consulted before the Standards Committee decides on the outcome of an investigation that a member has breached the Code of Conduct. Members and co-opted members who are the subject of a complaint may also consult the Independent Person.

6.3 In the 2019 report of the Committee on Standards in Public Life (CSPL), the importance of the Independent Person in providing a distinctive and important source of assurance within the standards regime in local government was recognised. The 2019 report recommended that there should be a minimum of two Independent Persons to support management of potential conflicts of interest in advising different people involved in a complaint. In addition, the report recommended that the Independent Persons should be appointed for a two-year fixed term, renewable once, to provide security in the role and to support the maintenance of independence.

6.4 At this point, the Committee does not need to determine how many Independent Persons it may wish to appoint; the Committee can take a view on this at the conclusion of the recruitment process. Committee approval is specifically sought to initiate the recruitment process.

Proposed Recruitment Process

6.5 Adverts with supporting documents, will be placed on the Shadow Authority's website and the Sovereign Council websites in West Surrey. A copy of the recruitment pack, which includes the advert, background information, role description, together with eligibility requirements, a proposed application form and associated privacy notice are attached as Appendix A.

6.6 Members will note that the proposed term of office for the Independent Person will commence from 1 April 2027 and in line with the recommendations of the report of the CSPL, it is suggested that the appointment will be for a two year fixed term, renewable once (four years in total).

7 Consultation

7.1 The Monitoring Officer (Interim) for the West Surrey Shadow Authority has been consulted on the proposed recruitment process as set out in this report to Committee Members.

8 Key Risks

8.1 The appointments of the new Independent Persons are required to be approved in time for Vesting Day. Any delays to the proposed recruitment process could interfere with this and result in failure to comply with the statutory provisions set out in the Localism Act 2011. Approval of the proposed recruitment process will mitigate against this potential risk.

9 Options

9.1 **Option 1 (recommended):** The Committee is asked to endorse the proposed recruitment process and associated documentation.

9.2 **Option 2**: The Committee may wish to suggest some amendments to the proposed documentation.

10 Issues for consideration

10.1 Financial Implications

10.1.1 The allowances payable to the Independent Persons, as previously recommended by the Independent Remuneration Panel and formally adopted as part of the Members' Allowance Scheme at the inaugural meeting of the West Surrey Shadow Authority in May 2026, provide for a payment of £1,159 per annum. Independent Persons may also claim travel, subsistence and other expenses in accordance with this scheme, provided that their expenses are not also being met by a third party.

10.2 Section 151 Officer Commentary

10.2.1 There are no additional comments.

10.3 Legal Implications

10.3.1 As detailed in the body of the report, the Localism Act 2011, section 28 (7), requires the standards arrangements to be adopted by the West Surrey Unitary Authority to include provision for the appointment of at least one Independent Person.

10.4 Monitoring Officer Commentary

10.4.1 As detailed in the body of the report, the Localism Act 2011, section 28(7), requires the standards arrangements adopted by the West Surrey Council to include provision for the appointment of at least one Independent Person.

10.5 People/Human Resources Implications

10.5.1 This commentary is provided by Surrey County Council's Director of People and Change in the capacity of People, Workforce and Culture Workstream Lead.

10.5.2 There are no direct workforce implications arising from this report. The proposed recruitment process will support good governance and the effective operation of the standards arrangements for the West Surrey Council and does not create any additional employment-related obligations.

10.6 Equality and Diversity Implications

10.6.1 The requirements of the Localism Act 2011 comply with equalities legislation including the Public Sector Equality Duty as defined in the Equality Act 2010 and which requires public bodies to have regard to the need to:

(a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
(b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
(c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

10.6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

10.6.3 The Equalities Comprehensive Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

10.6.4 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.'

10.7 Climate Change and Sustainability Implications

10.7.1 None for the purposes of this report as the decision is administrative in nature.

10.8 Stakeholders Implications

10.8.1 The purpose of this report is to establish the process for appointing at least one Independent Person. In addition to the statutory requirements, such an appointment is intended to ensure access to the necessary knowledge and experience to reinforce independence and provide assurance to the members of the public and Town and Parishes throughout the West Surrey Authority area of the preservation of ethical standards by Elected Members.

11 Overview & Scrutiny Comments

11.1 Not applicable

12 List of Appendices

12.1 Appendix A: Advert, background information, selection and eligibility criteria, role description, application form and privacy notice

13 List of Background papers

13.1 None