

Amended 07.2022

CONSTITUTION OF THE LONDON BOROUGH OF CROYDON

Part 6.F – TERMS OF REFERENCE for the INDEPENDENT PANEL

The need for an 'Independent Person' was introduced by the Localism Act 2011 (the Act) on 1 July 2012 as part of the current standards regime. Under the Act, the Council has a duty to promote and maintain high standards of conduct by members and co-opted members and, among other things, must appoint an Independent Person whose views are sought and taken into account by the Council before it makes its decision on an allegation that it has decided to investigate.

Established: Standing panel established July 2022.

Regularity of meetings

As and when required.

Membership

Three Independent Persons appointed under s28(7) of the Localism Act 2011.

The Monitoring Officer will invite three of the Independent Persons appointed by the Council to form a Panel from time to time in accordance with the requirements of the Local Authorities (Standing Orders) (England) Regulations 2001(as amended).

In particular, the Monitoring Officer will invite Independent Persons in accordance with the following priority order:

- (a) an Independent Person who has been appointed by the Council and who is a local government elector;
- (b) any other Independent Person who has been appointed by the Council; Non-Executive Template
- (c) an Independent Person who has been appointed by another Council or Councils.

Form

The Independent Panel is constituted as an advisory committee under s102(4) of the Local Government Act 1972.

Purpose

To carry out the function of 'the Panel' referred to in the Local Authorities (Standing Orders) (England) Regulations 2001(as amended) and advise the Council on matters relating to the dismissal of relevant officers (including those officers that the statutory procedure has been extended to in the exercise of the Council's discretion).

Accordingly, the Panel can give advice, express its views and make recommendations to Council before it meets to consider whether or not to approve a proposal to dismiss a relevant officer.

Quorum

The Independent Panel cannot meet to carry out its function unless at least two Independent Persons are in attendance.