

To: Standards Committee

Date: 3 July 2025

Report of: Director of Law, Governance and Strategy (Monitoring Officer)

Title of Report: Appointment of Independent Persons

Summary and recommendations	
Decision being taken:	This report asks the Standards Committee to recommend to Council to authorise the Monitoring Officer to re-appoint Chris Ballinger and Andrew Mills-Hicks and to appoint Eric Feltin, Lois Lezmore, Ala Soualhi and Dr. Bushra Almunir Yousef as the Council's Independent Persons for a five-year term, until July 2030.
Key decision:	No
Cabinet Member:	N/A
Corporate Priority:	None
Policy Framework:	None

Recommendation(s): That the Standards Committee resolves to:
1. Recommend to Council to authorise the Monitoring Officer to re-appoint Chris Ballinger and Andrew Mills-Hicks and to appoint Eric Feltin, Lois Lezmore, Ala Soualhi and Dr. Bushra Almunir Yousef as the Council's Independent Persons for a five-year term.

Information Exempt from Publication	
N/A	N/A

Appendix No.	Appendix Title	Exempt from Publication
N/A	N/A	N/A

Introduction and background

1. The Localism Act 2011 ("The Act") (Section 28, subsections (7) and (8)) requires the Council to appoint one or more Independent Persons.

2. The Local Authorities (Standing Orders) (England)(Amendment) Regulations 2015 (“The Regulations”) require the Council to invite relevant Independent Persons to a Panel (being a committee appointed by the authority under section 102(4) of the Local Government Act 1972) for the purposes of advising the authority on matters relating to dismissal of relevant officers of the authority(the chief executive, the chief finance officer and the monitoring officer).
3. At its meeting on 25 November 2019, the Council appointed Chris Ballinger, Osama Raja, Jill McCleery and Andrew Mills-Hicks as the Council’s Independent Persons for five years. Their contracts were extended at full Council on 25 November 2024 for a further four months and again at full Council on 24 March 2025 for an additional four months.
4. Since their appointment, the current Independent Persons have carried out their roles diligently and dealt with complaints about members accused of breaching the Code of Conduct as required.

Recruitment of Independent Persons 2025

5. There is no prescribed time limit on the terms of office of independent persons, and these are therefore within the discretion of the Council. At its meeting on 11 September 2018, the Standards Committee agreed to note and approve the Monitoring Officer’s proposed arrangements for the appointment of independent persons in 2019. These arrangements continued for the recruitment in 2025 following approval at the Standards Committee in November 2024, with Councillors Lizzy Diggins and Hosnieh Djafari-Marbini requesting to form the panel alongside Emma Jackman, the Director of Law, Governance and Strategy and Monitoring Officer.
6. The Monitoring Officer commenced a formal recruitment exercise for the appointment of Independent Persons based on the following principles:
 - i. The recruitment exercise to include advertisement, application and interview (as required by “the Act”)
 - ii. The interview panel to consist of the Monitoring Officer, Chair of the Standards Committee and one opposition member from the Standards Committee
 - iii. The term of appointment to be for 5 years from the date of appointment
 - iv. The Independent Person “job description” to be approved by the Monitoring Officer to be expanded to include considering evidence and advising Council on the course of action for the Disciplinary Committee to follow whenever there is the prospect of dismissal of a statutory officer
 - v. The statutory restrictions on eligibility shall apply¹

¹ A person cannot be appointed as an Independent Person if they are, or have been, at any time in the preceding five years:

- a) A member, co-opted member or officer of Oxford City Council; or
- b) A member, co-opted member or officer of one of the four parish councils (Blackbird Leys, Littlemore, Old Marston and Risinghurst & Sandhills Parish Councils); or
- c) A relative or close friend of such persons

- vi. Any application from an existing Independent Person to be considered on its merits
 - vii. The appointments to be confirmed at Full Council with a positive vote by a majority of councillors (as required by “the Act”)
7. The advert for the recruitment of the Independent Persons was published on the Council’s website in late February 2025. The interview dates were scheduled as and when required once the applications were received.
 8. Following consultation with the interview panel, the two previously appointed Independent Persons, Chris Ballinger and Andrew Mills-Hicks, were recommended to be re-appointed following the submission of their applications.
 9. Four applications were received before the end of May 2025 and all four candidates were interviewed in June 2025. Due to scheduling issues and to ensure the candidates, if successful, were appointed at full Council in July 2025, the panel was subsequently formed between Councillors Susanna Pressel, Lizzy Diggins and Judith Harley, alongside the Monitoring Officer, following agreement by the committee.
 10. Following agreement with the panel, all candidates, Eric Feltin, Lois Lezemore, Ala Soualhi and Dr. Bushra Almunir Yousef, would be recommended to full Council to be appointed as the Council’s Independent Persons.

Alternative Options Considered

11. To not recommend that full Council should appoint the Independent Persons. However, this would not be appropriate as it would place the Council in breach of its statutory duty under “the Act”.
12. The Committee could also recommend that full Council should also not follow the recommendations of the interview panel and not appoint all the candidates. This would also not be appropriate as while there is no limit of how many Independent Persons the Council should appoint, a robust Standards Process should include multiple independent persons that Monitoring Officer can call upon to determine applications.

Financial implications

13. The recruitment of Independent Persons in 2025 carries a modest financial burden which will be accommodated in the 2024/25 Member Support budget. There is no payment made to the role holders.

Legal issues

14. The Council is required by “the Act” to appoint at least one Independent Person.
15. The Code of Conduct and arrangements for dealing with complaints require the input of an Independent Person on complaints submitted to the Monitoring Officer.
16. The Council has a legal obligation to make resources available to the Monitoring Officer for the purposes of their role.

Level of Risk

17. Failing to appoint an Independent Person would place the Council in breach of its statutory duty under “the Act” and prevent the Monitoring Officer from dealing with

complaints in accordance with the Council's code of conduct complaints procedure. In addition, in the event of there being a need to consider dismissal of a relevant officer and the Council not having appointed at least two Independent Persons the Council would be required to approach another local authority to seek to invite their appointed Independent Persons to form part of a Panel in accordance with Regulation 6 paragraph 5 of "the Regulations".

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Background Papers: None
