RECRUITMENT PACK FOR APPOINTMENT OF AN INDEPENDENT PERSON

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01895 837227 (Mathew Bloxham or Leslie Ashton)
BACKGROUND INFORMATION

Under the provisions of the Localism Act 2011 the Council is responsible for dealing with complaints about the conduct of its elected and co-opted Members and Town and Parish Councillors in its area.

The Act provides that the Council must appoint at least one Independent Person to assist in discharging these responsibilities. Full details of the role and responsibilities of the Independent Person are included in this Recruitment Pack.

The Council has adopted a formal Complaints Procedure and agreed to appoint Independent Persons whose views must be sought and taken into account by the Council when deciding whether a complaint of misconduct should be investigated and before it makes its decision on whether a Councillor has breached their respective authority’s Code of Conduct following an investigation into a complaint of misconduct. The Independent Person’s views may also be sought by a Councillor who is the subject of a complaint.

The Independent Person will also be consulted upon by the Council in respect of applications by Councillors for dispensations to their respective authority’s Code of Conduct in accordance with the Council’s procedure and scheme of delegated authority regarding the granting of dispensations.

Under the Employment Procedure Amendment Regulations 2015 the Independent Person will also join the Council's Panel which would consider the dismissal of the Council’s statutory officers and make recommendations to full Council.

The appointment of an Independent Person will be subject to formal approval of the Shadow Authority at its meeting on 27 February 2020.

DOCUMENTS

1. Recruitment Pack:
   - Role Description
   - Person Specification
   - Protocol on the Role of the Independent Person
   - Application Form and Declaration
ROLE DESCRIPTION: Independent Person

Job Purpose

The Council is required to promote and maintain high standards of conduct by its elected and co-opted members and in discharging this duty it must, in particular, adopt a code dealing with the conduct that is expected of those members.

The Council must also have arrangements in place to investigate and make decisions on allegations that members may have failed to comply with the Council’s code of conduct. These arrangements also apply to allegations that members of town and parish councils in the county may have failed to comply with the code of conduct adopted by their council.

These arrangements must also include the appointment of at least one independent person whose views are to be sought, and taken into account, before a decision is made on an allegation following a decision to investigate. The views of the independent person may also be sought on other matters and at other stages of the complaints process, by members of the council whose conduct is the subject of an allegation and by members of town or parish council’s whose conduct is the subject of an allegation.

Under the Employment Procedure Amendment Regulations 2015 the Council must also invite at least two Independent Persons to join the panel set up to consider the dismissal of the Councils statutory officers, namely the Head of Paid Service, Chief Finance Officer and Monitoring Officer.

Role

Independent persons should: -

- develop and apply knowledge of the code of conduct
- develop a clear understanding of the way in which local authorities work
- read reports, briefings and background information in advance of meetings/hearings
- be inquisitive, open-minded and non-judgemental
- be prepared to discuss issues and give views; and
- be committed to a defined term of office

Contacts

Monitoring/Deputy Monitoring officer, elected and co-opted members of the Council, elected and co-opted members of town and parish councils, other independent persons
Key Tasks

- To provide a view on allegations that an elected or co-opted member may have failed to comply with their council’s code of conduct following an investigation by the monitoring officer.

- To provide a view on the appropriate sanction to be imposed on an elected or co-opted member who may have failed to comply with their council’s code of conduct following an investigation by the monitoring officer.

- To receive reports from the monitoring officer relating to probity and ethical standards within the council and parish/town councils in Buckinghamshire, and give views on the implementation of any recommendations.

- To participate in any meetings of the council considering probity and ethical standards within the council and parish/town council in Buckinghamshire.

- To participate in any hearings of the Council concerning conduct complaints as required.

- To be available to provide a view to a member the subject of a complaint.

Equal Opportunities

The Independent Person is expected to demonstrate and promote a commitment to the Council’s equal opportunities policies.
## INDEPENDENT PERSON - PERSON SPECIFICATION

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<tr>
<th>Qualifications:</th>
<th>Essential</th>
<th>Desirable</th>
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<td>• No specific qualifications or background is required</td>
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<tr>
<th>Knowledge and Skills:</th>
<th>Essential</th>
<th>Desirable</th>
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<tr>
<td>• A good communicator with questioning skills</td>
<td>✓</td>
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<td>• Assertive</td>
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<td>• Inquisitive, open-minded and non-judgemental</td>
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<td>• Understanding of the local authority standards regime</td>
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<td>• Understanding of the principles behind the members’ code of conduct</td>
<td>✓</td>
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<td>• Awareness of the background to the introduction of the ethical framework for local government</td>
<td>✓</td>
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<td>• IT skills – word processing software and e-mail</td>
<td>✓</td>
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<th>Experience:</th>
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<tr>
<td>• Experience in considering evidence and dealing with ethical issues</td>
<td>✓</td>
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<td>• Experience of providing confidential advice</td>
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<td>• An interest in public service and local government in particular</td>
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<th>Competencies:</th>
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<td>• A person in whose impartiality and integrity member and the public can have confidence</td>
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<td>• Understand and comply with confidentiality requirements</td>
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<th>Other requirements:</th>
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<td>• Able to attend meetings/hearings on an ad hoc basis if required, and devote preparation time for each meeting</td>
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<td>• Must be of good standing</td>
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<td>• Must not currently have and must not enter into any contractual relations with the council under which he/she will gain personally</td>
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• Will have disclosed to the council any matter in his/her background which, if it became public, might cause the council to reconsider the appointment

• Will not be an active member of any political party or have a public profile in relation to political activities

• Will not have been an officer, elected member or co-opted member of Aylesbury Vale District Council, Buckinghamshire County Council, Chiltern District Council, South Bucks District Council, Wycombe District Council or any town or parish council in the county, within 5 years of the date of his/her appointment as independent person

• Will not have been a relative or close friend of an officer, elected member or co-opted member of Aylesbury Vale District Council, Buckinghamshire County Council, Chiltern District Council, South Bucks District Council, Wycombe District Council or any town or parish council in the county, within 5 years of the date of his/her appointment as independent person

• Committed to a 5-year term of appointment

• Have ICT/internet facilities at their disposal to assist with carrying out the above functions.
APPLICATION FOR THE POSITION OF INDEPENDENT PERSON

Individuals who wish to be considered for appointment as an Independent Person are requested to provide the following information to support their application. All information provided will be treated in the strictest confidence and will only be used for the purposes of selection. Please feel free to use a separate continuation page if you wish to expand upon your answer to any question outlined below.

1. PERSONAL DETAILS

Name:

Address:

Postcode:

Daytime Telephone Number:

Email Address:
2. QUALIFICATIONS
(Please list in particular any qualifications which you think are relevant to the position of Independent Person)

3. SUMMARY OF EXPERIENCE
(Please give a brief account of your experience including career, public and voluntary work together with the nature of your current or most recent occupation)
4. RELEVANT EXPERTISE/SKILLS

(Please outline briefly any knowledge or expertise which you believe would be particularly relevant to your role as an Independent Person having regard to the selection criteria and role description)

5. Why do you wish to be considered for appointment as Independent Person and what particular attributes do you believe you would bring to the role?
6. Please provide any additional information you may wish to give in support of your application:

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7. Please give the names and contact details of 2 referees who may be contacted in the event that you are invited for interview:

1) Name:

   Address:

   Postcode:
   Daytime Telephone Number:

2) Name:

   Address:

   Postcode:
   Daytime Telephone Number:
I wish to apply to be an Independent Person. In submitting this application, I declare that:

- I am not and have not during the past five years been a Member, co-opted member or Officer of Aylesbury Vale District Council, Buckinghamshire County Council, Chiltern District Council, South Bucks District Council, Wycombe District Council or of any Town or Parish Council in the Districts.
- I am not related to, or a close friend of, any Member, co-opted member or Officer of Aylesbury Vale District Council, Buckinghamshire County Council, Chiltern District Council, South Bucks District Council, Wycombe District Council or of any Town or Parish Council in the Districts.
- I am not actively engaged in local party political activity.

Signed:  

Date:  

Please return this application to:

Mathew Bloxham  
Democratic and Electoral Services Manager  
Chiltern and South Bucks District Councils  
Capswood  
Oxford Road  
Denham  
Buckinghamshire  
UB9 4LH

Or email the completed form to democraticservices@chilternandsouthbucks.gov.uk