



# **RECRUITMENT PACK FOR APPOINTMENT OF INDEPENDENT PERSONS**

District Solicitor & Monitoring Officer  
Wycombe District Council  
Queen Victoria Road  
High Wycombe  
Buckinghamshire  
HP11 1BB

## APPOINTMENT OF INDEPENDENT PERSONS

Under Section 27 of the Localism Act 2011, the Council is required to appoint at least one Independent Person to assist the Council in promoting and maintaining high standards of conduct by its elected and co-opted Members and by Town/Parish Councillors within the District. In particular the views of an Independent Person must be sought and taken into account by the Council 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 be sought by a Councillor who is the subject of a complaint.

The Independent Persons will also form part of the Council's Panel set up under the Employment Procedure Amendment Regulations 2015 to consider the dismissal of the Council's statutory officers if this function is required.

The Council is currently seeking to recruit one Independent Person and is inviting applications for this position. A fixed annual allowance (currently £211.10, with an annual inflationary uplift) is payable. Training will be provided to the successful applicants.

A person cannot by law be appointed as an Independent Person if they are or were within a period of 5 years prior to the appointment:

- a member, co-opted member or officer of the authority;
- a member, co-opted member or officer of a parish council in the District Council's area; or
- a relative or close friend of the above.

For further details including an information pack and application form, please visit the Council's website: [...link to be included...]

Or email: [julie.openshaw@wycombe.gov.uk](mailto:julie.openshaw@wycombe.gov.uk)

If you would like to discuss the role please contact:

Julie Openshaw  
District Solicitor & Monitoring Officer  
Wycombe District Council  
Queen Victoria Road  
High Wycombe  
Buckinghamshire  
HP11 1 BB  
Tel: 01494 421252

**The closing date for applications is [.....].** Interviews are expected to be scheduled during [.....] 2018.

## **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 in relation to complaints about the conduct of Wycombe District Council and the Parish Councils within its district, and agreed to appoint two Independent Persons. The view of at least one of them 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.

Independent Persons 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 Persons will also join the Council's Panel in circumstance where the dismissal of any the Council's statutory officers was being considered, before any recommendation was made to full Council.

The appointment of Independent Persons will be subject to formal approval of the full Council.

### **Documents**

1. Recruitment Pack:
  - Role Description
  - Person Specification
  - Dates of Standards Committee 2018/19
  - Application Form and Declaration (downloadable Microsoft Word version available separately)
2. Wycombe District Council Complaints Procedure (please see separate .pdf document)
3. Application Form and Declaration (please see separate downloadable Microsoft Word version)

## **ROLE DESCRIPTION: Independent Person**

### **Eligibility for Appointment**

A person cannot be appointed as an Independent Person if they are or were within a period of 5 years prior to the appointment:

- a member, co-opted member or officer of the authority;
- a member, co-opted member or officer of a parish council in the District Council's area; or
- a relative or close friend of the above.

### **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 District 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 Councils in similar circumstances.

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

### **Role and Abilities**

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-judgmental
- be prepared to discuss issues and give views; and
- be committed to a defined term of office.

## **Key Contacts**

These will mainly be the Monitoring/Deputy Monitoring Officer, elected and co-opted members of the District Councils, elected and co-opted members of town and parish councils, and other Independent Persons.

## **Key Tasks**

1. 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 when consulted by the Monitoring Officer;
2. 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;
3. To receive reports from the Monitoring Officer relating to probity and ethical standards within the Council and Parish/Town Councils in the District, and give views on the implementation of any recommendations;
4. To participate in the Council's Standards Committee meetings as a non-voting member;
5. To participate in any hearings of the Council concerning conduct complaints as required;
6. To be available to provide a view to a member the subject of a complaint;
7. To be a member of any Panel considering the dismissal of any of the Council's statutory officers (which would make a recommendation on this to full Council).

## **Equal Opportunities**

The Independent Person is expected to demonstrate and promote a commitment to the Council's equal opportunities policies.

## PERSON SPECIFICATION: Independent Person

	Essential	Desirable
<b>Qualifications:</b> <ul style="list-style-type: none"> <li>No specific qualifications or background is required but a clear commitment to the role and its responsibilities and the time involved in the role is essential</li> </ul>	✓	
<b>Knowledge and Skills:</b> <ul style="list-style-type: none"> <li>A good communicator with questioning skills</li> <li>A good problem solver</li> <li>Assertive</li> <li>Inquisitive, open-minded and non-judgemental</li> <li>Understanding of the local authority standards regime</li> <li>Understanding of the principles behind the Code of Conduct for Members</li> <li>Awareness of the background to the introduction of the ethical framework for local government and the current Localism Act 2011 regime</li> <li>IT skills – word processing software and e-mail</li> </ul>	✓  ✓  ✓  ✓  ✓	✓  ✓
<b>Experience:</b> <ul style="list-style-type: none"> <li>A demonstrable interest in local issues</li> <li>Experience in considering evidence and dealing with ethical issues</li> <li>Experience of providing confidential advice and keeping confidences</li> <li>An interest in public service and local government in particular</li> </ul>	✓  ✓	✓ ✓  ✓
<b>Competencies:</b> <ul style="list-style-type: none"> <li>A person in whose impartiality and integrity member and the public can have confidence</li> <li>Ability to understand and comply with confidentiality requirements</li> <li>Able to make a positive contribution to the work of Standards Committee</li> </ul>	✓  ✓  ✓	
<b>Other Requirements:</b> <ul style="list-style-type: none"> <li>Willingness to agree to observe the Code of Conduct for Members including completing a declaration of Disclosable Pecuniary Interests</li> <li>Able to attend meetings/hearings ad hoc as required within the committee cycle and standards process, and devote preparation time for each meeting</li> <li>Must be of good standing</li> </ul>		

- Must not currently have and must not enter into any contractual relations with the council under which he/she will gain personally
- 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 Wycombe District Council or any town or parish council in the District, 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 Wycombe District Council or any Town or Parish council in the District, within 5 years of the date of his/her appointment as Independent Person
- Commitment to at least a 5 year term of appointment
- Ideally should have a ICT/internet/telephone facilities at their disposal to assist with carrying out the above functions

You should demonstrate in your application how you meet the above criteria as this will assist the short-listing process.

Means of assessment will be by application form and by interview.

## **DATES OF STANDARDS COMMITTEE 2018**

2018 Standards Committee dates to be confirmed



## **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:**

**7. Please give the names and contact details of two 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 Wycombe District Council or of any Town or Parish Council in the District
- I am not related to, or a close friend of, any Member, co-opted member or Officer of Wycombe District Council or of any Town or Parish Council in the District
- I am not actively engaged in local party political activity.

Signed: .....

Date: .....

Please return this application form by [.....] addressed to:

Julie Openshaw  
District Solicitor & Monitoring Officer  
Wycombe District Council  
Queen Victoria Road  
High Wycombe  
Buckinghamshire  
HP11 1BB

Or email the completed form to [julie.openshaw@wycombe.gov.uk](mailto:julie.openshaw@wycombe.gov.uk)