

APPOINTMENT OF INDEPENDENT PERSONS

Role Description

1. The Independent Persons will assist in maintaining and promoting high ethical standards in the Borough Council and the parish councils within the Borough. The role of “independent person” was created by the Localism Act 2011. The Act requires all local authorities to adopt a code of conduct for their elected members and to appoint at least one independent person to assist the Council in dealing with complaints that the code of conduct may have been breached.
2. If the Council has decided to investigate an allegation that the code of conduct has been breached then the views of an Independent Person must be sought, and taken into account, before the Council makes its decision on any such allegation. The Council may also seek the views of an Independent Person in relation to allegations where no decision to investigate has been made. In addition any Councillor, who is the subject of a complaint, may seek the views of an Independent Person.
3. It is anticipated that the views of an Independent Person will usually be sought by the Monitoring Officer by e-mail but, on occasions, contact may be by telephone or in face to face meetings.
4. An Independent Person may be invited to attend any meeting of the Hearings Sub-Committee which is considering an allegation of a breach of the code of conduct.
5. The Independent Persons will be encouraged:
 - to develop their knowledge of the code of conduct,
 - to analyse and to exercise fair and impartial judgment on conduct issues,
 - to set high standards of ethical behaviour, and develop a sound understanding of the ethical framework
6. The Independent Persons will be expected to provide a view on the conduct of Borough and parish councillors from an external perspective, reflecting the expectations and views of the local community on ethical standards.
7. The Independent Persons will be encouraged to acquire some understanding of the work of the Borough and parish councils and how they operate, and must be prepared to undertake training and also to participate in training events organised by the Council to promote awareness of the Code of Conduct.
8. The Council will also invite Independent Persons to be considered for appointment to a panel which will be involved in advising the Council on matters relating to the dismissal of the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer.
9. Support will be provided by the Council’s Monitoring Officer, who will arrange any necessary training and provide such information and assistance as is necessary to enable the Independent Persons to perform the role effectively.

10. An Independent Person is not an employee of the Council and the post is not remunerated although travel expenses may be claimed for attending meetings. The term of office will be for a fixed term expiring in May 2019 and will be subject to the Independent Person maintaining high standards of personal conduct. The Borough Council may terminate an appointment at any time.

Person Specification

Please note that by law a person may not be appointed as an Independent Person if that person:

- (a) is a member or co-opted member or officer of the Council or a parish council in the Council's area, or
- (b) is a relative, or close friend of such a person, or
- (c) has been a member or co-opted member or officer of the Council or a parish council in the Council's area in the previous 5 years.

Essential Qualities

1. To demonstrate a keen interest in promoting high ethical standards in local government, and to have a general understanding of the principles behind the councillors' Code of Conduct.
2. To have good communication and interpersonal skills, and to be able to operate with tact and diplomacy.
3. To be able to demonstrate an understanding of the standards of accountability and objectivity demanded of public authorities, and the continuous scrutiny under which they are placed.
4. To be able to use logical reasoning and bring qualities of open-mindedness and impartiality.
5. To be able to deal with substantial documentation and to analyse, interpret and absorb information and evidence effectively and quickly.
6. To understand and comply with confidentiality requirements
7. To be a person of good standing in whose impartiality and integrity elected members and the general public can have confidence.
8. To be able to attend meetings and be available for telephone or email consultation, sometimes at short notice.
9. Not to be a member of any political party or have a public profile in relation to political activities.

Desirable Qualities

1. To have had involvement in or knowledge of public authorities, voluntary organisations, commercial institutions, professional or employee organisations or other similar activities.