

STANDARDS COMMITTEE

18 March 2015

APPOINTMENT OF INDEPENDENT PERSONS AND PARISH REPRESENTATIVES

REPORT OF CHIEF OPERATING OFFICER

Contact Officers: Stephen Whetnall/David Blakemore 01962 848 220/848 217
swhetnall@winchester.gov.uk

RECENT REFERENCES:

ST99 – Appointment of Independent Person and Parish Representatives – 24 June 2013)

EXECUTIVE SUMMARY:

The City Council's Standards Committee consists of seven City Councillors, three Parish Representatives and is also advised by three Independent Persons. The current terms of office for the three Independent Persons and three Parish Representatives come to an end on 30 April 2015.

The Localism Act 2011 required Councils to appoint at least one 'Independent Person' whose views would be sought and taken into account, before it made any decision on an investigation about allegations that a City or Town/Parish Councillor has breached its Code of Conduct. The appointments first came into effect at the Council meeting held on 27 September 2012, where it was agreed that three Independent Persons should be appointed to provide cover for absence etc. The Standards Committee also appoints three Parish Councillors as non-voting co-optees to help with its work, particularly regarding parish matters.

The Independent Person vacancy was advertised in the Hampshire Chronicle, the Mid Hants Observer and on the Council's website. A copy of the advertisements are attached as **Appendices A and B**, together with a copy of the application pack which sets out the skills, competencies and role description of an Independent Person at **Appendix C**. The closing date was Friday 6 March 2015

The Parish positions were notified to all Parish Clerks and the Winchester District Association of Local Councils. The closing date for applications was also Friday 6 March 2015.

All applications received for the Independent Person role are set out at Exempt **Appendix D** and the Parish vacancy at Exempt **Appendix E**.

Both Appendices D and E are exempt as the applications contain personal information, and it is therefore proposed that both sets of appointments are dealt with in exempt session. Therefore, whilst the Report and Appendices A – C are available to all Members, the application forms in Appendices D and E are available to the Committee only.

The Committee will make recommendations to Council on 1 April 2015 on both appointments.

RECOMMENDATIONS:

1. That the Committee recommends to Council on 1 April 2015 the following appointments for the 2015/16 and 2016/17 Municipal Years:
 - a) three Parish Representatives to serve as non voting, co-opted members.
 - b) three Independent Persons to advise the Standards Committee and Monitoring Officer.
2. That the fixed allowance for Independent Persons be £400 per annum.

COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO):

Efficient and Effective Council.

RESOURCE IMPLICATIONS:

The Council on 7 January 2015 agreed that Parish Representatives on Standards Committee should receive an annual allowance of £240, plus travel expenses.

Independent Persons will receive a fixed allowance of £400 per annum (subject to confirmation) together with reimbursement of travel expenses.

Budgetary provision exists for these payments.

RISK MANAGEMENT

None provided agreed procedures are followed.

BACKGROUND DOCUMENTS:

None

OPEN APPENDIX

Appendices A and B – Independent Person Advertisement

Appendix C - Independent Person Application Pack

EXEMPT APPENDICES

Appendix D – Independent Person Applications

Appendix E – Parish Representative Applications



DO YOU WANT TO HELP MAINTAIN STANDARDS OF CONDUCT AT THE CITY COUNCIL AND IN LOCAL TOWN AND PARISH COUNCILS?

Are you fair-minded, impartial and a good communicator?

Can you reach independent conclusions based on the facts?

If the answer to these questions is 'yes' then you may be able to help the City Council by acting as one of three 'Independent Persons'.

The Localism Act 2011 required Councils to appoint at least one 'Independent Person' whose views would be sought and taken into account, before it made any decision on an investigation about allegations that a City or Town/Parish Councillor has breached its Code of Conduct. To provide cover for absence etc, the City Council decided to appoint three 'Independent Persons' and applications are invited accordingly.

The people we are seeking will need to live or work in the Winchester District. Some experience of maintaining standards and ethics in the public or private sectors and a legal or management background would be useful, or experience of a management position in a voluntary organisation. However, it will be more important to be able to provide clear thinking, make objective judgements and be impartial.

A small annual allowance plus travel and subsistence expenses will be payable. The appointment is likely to be for two years.

Please note that you cannot be appointed if you have the following links with the City Council or Town/Parish Councils:

- a) Current Councillors or officers
- b) Co-opted Members
- c) Persons who have held such offices in the last 5 years
- d) Relatives and close friends of such persons

You can download application details from www.winchester.gov.uk/councillors-committees. If you would like to receive an application pack by post, please contact Katherine Jeffery on 01962 848 264 or write to the address below, or e mail kjeffery@winchester.gov.uk.

For an informal discussion about the role, please contact David Blakemore on 01962 848217.

The closing date for applications is Friday 6 March 2015

Stephen Whetnall
Chief Operating Officer
City Offices, Colebrook Street,
Winchester SO23 9LJ



Winchester
City Council

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Winchester
City Council

RECRUITMENT PACK FOR

APPOINTMENT OF

INDEPENDENT PERSON

APPOINTMENT OF INDEPENDENT PERSONS

Under the provisions 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 amongst its elected members and town and parish councillors.

The Independent Person will be consulted before a decision is made on an investigated complaint. The Independent Person may be consulted on other standards matters, including by the member who is subject to an allegation.

To provide cover for holiday and sickness absences, or where a potential conflict of interests may arise, the Council agreed that three Independent Persons should be appointed.

A fixed allowance of £400 per annum (subject to confirmation) is payable together with reimbursement of travel expenses.

For further details, including an information pack and eligibility criteria, please visit the Council's website or contact:

David Blakemore
Democratic Services Manager
Winchester City Council
Colebrook Street
WINCHESTER
SO23 9LJ

Tel: 01962 848217

Email: dblakemore@winchester.gov.uk

Website: www.winchester.gov.uk

The closing date for applications is Friday 6 March 2015.

APPOINTMENT OF INDEPENDENT PERSON – BACKGROUND INFORMATION

Under the provisions of the Localism Act 2011, the way that the City Council will deal with conduct complaints about its elected members and town and parish councillors in its area has changed.

Changes to the statutory regulatory framework meant that the Council is responsible for deciding how to deal with standards issues at a local level, including adopting its own local code and determining arrangements for dealing with complaints.

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 appointments first came into effect at the Council meeting held on 27 September 2012, where it was agreed that 3 Independent Persons should be appointed. The term of office of the existing Independent Persons ends 30 April 2015 and therefore new appointments are now required for a 2 year term of office from 1 May 2015. Applications will be considered by a Special meeting of the Standards Committee to be held during March 2015. This will make recommendations to the full Council meeting on 1 April 2015, where the appointments will be confirmed.

INDEPENDENT PERSON - SELECTION CRITERIA

SKILLS AND COMPETENCIES

The Independent Person will have:

- a keen interest in standards in public life.
- a wish to serve the local community and uphold local democracy.
- the ability to be objective, independent and impartial.
- sound decision making skills
- leadership qualities, particularly in respect of exercising sound judgement.

The Independent Person will:

- be a person in whose impartiality and integrity the public can have confidence.
- understand and comply with confidentiality requirements.
- have a demonstrable interest in local issues.
- have an awareness of the importance of ethical behaviours.
- be a good communicator.

Desirable additional criteria are:

- working knowledge/experience of local government or other public service and/or of large complex organisations and awareness of and sensitivity to the political process.
- knowledge and understanding of judicial/quasi-judicial or complaints processes.

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

NOTE: You will be required to be contactable during normal working hours by telephone or by email and to be available to attend hearings, some of which may be held in the day time and at relatively short notice.

Eligibility for Appointment

A person cannot be appointed as an Independent Person if they are or were within a period of five 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.

Any involvement in political activity or campaigning, particularly at local level, may affect public perceptions of independence. Applicants are asked to indicate the nature of such activity and whether it may affect public perception of independence.

Regulations do not prevent Independent Members who previously served on the Council's Standards Committee from being eligible to apply for the role, as this can assist with continuity of experience and therefore assist in the work of the Committee.

INDEPENDENT PERSON - ROLE DESCRIPTION

Responsible to: The Council

Liaison with: Monitoring Officer, members of the Standards Committee, officers and members of the District Council and Town and Parish Councillors within the District, key stakeholders within the community.

1. To assist the Council in promoting high standards of conduct by elected and co-opted members of Winchester City Council and town and parish councillors and, in particular, to uphold the Code of Conduct adopted by the Council and the seven principles of public office, namely selflessness, honesty, integrity, objectivity, accountability, openness and leadership.
2. To be consulted by the Council through the Monitoring Officer and/or the Standards Committee before it makes a decision on an investigated allegation and to be available to attend meetings of the Sub Committee of the Standards Committee for this purpose.
3. To be available for consultation by the Monitoring Officer and/or the Standards Committee before a decision is taken as to whether to investigate a complaint or to seek local resolution of the same.
4. To be available for consultation by any elected member, including town and parish councillors, who is the subject of a standards complaint.
5. To develop a sound understanding of the ethical framework as it operates within Winchester City Council and its town and parish councils and to be available to attend and advise the Standards Committee on such matters.
6. To participate in training events to develop skills, knowledge and experience and in networks developed for Independent Persons operating outside the City Council's area.
7. To attend training events organised and promoted by the Council's Standards Committee.
8. To act as advocate and ambassador for the Council in promoting ethical behaviour.

WINCHESTER CITY COUNCIL

APPLICATION FOR THE POSITION OF INDEPENDENT PERSON

Individuals who wish to be considered for appointment as an Independent Person at the City Council 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:

National Insurance Number:

Contact Details:

Telephone Number(s):

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 explain whether any political activity or campaigning, particularly at local level that you may have had involvement in, may affect public perceptions of independence. Applicants are asked to indicate the nature of such activity.

7. Please provide any additional information you may wish to give in support of your application:

8. References

1. Name:

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Address:

.....

.....

.....

Telephone No.

2. Name:

.....

Address:

.....

.....

.....

Telephone No.

I wish to apply to be an Independent Person.

In submitting this application, I declare that:

EITHER

- I am not and have not during the past five years been a Member or Officer of the City Council.
- I am not related to, or a close friend of, any Member or Officer of the City Council, or a Town or Parish Council within the Winchester District.
- I am not and have not during the last 5 years been a co-opted Member of the City Council (including former Independent Members of the Standards Committee) or a Town or Parish Council within the Winchester District. *
- I am not actively engaged in local party political activity other than as outlined in the response to Question 6 above. *

OR

- I was an Independent Person advising the Standards Committee. *

Signed

Date

Please return this application form by **6 March 2015** addressed to:

David Blakemore
Democratic Services Manager
Winchester City Council
Colebrook Street
WINCHESTER SO23 9LJ

Tel: 01962 848 217

Email: dblakemore@winchester.gov.uk

Website: www.winchester.gov.uk

(* Please delete as applicable)