

RECRUITMENT PACK FOR

APPOINTMENT OF

INDEPENDENT PERSONS

APPOINTMENT OF INDEPENDENT PERSONS

BACKGROUND INFORMATION

Every local authority in England is required to adopt a code of conduct to regulate the behaviour of its own Councillors.

The District Council must also have arrangements in place to deal with complaints against its own members and parish and town councillors within the district.

As part of those arrangements S28 (7) of the Localism Act 2011 requires the Council to appoint at least one Independent Person to the Council.

The primary role of the Independent Person is to give their views to the Council before a decision is made in respect of a complaint which has been investigated and is being brought to a Hearing Sub-Committee of the Council to decide if there has been a breach of the code of conduct and, if so, what the appropriate sanction for that breach should be.

A member of the District Council or a town or parish Councillor who is the subject of an allegation may also seek views from the Independent Person in order to avoid any conflict of interest arising at a subsequent stage in the investigation. The Council has adopted a protocol regarding the role of the Independent Person.

Under the District Council's approved procedures the Independent Person will also be consulted by the Monitoring Officer in the initial filtering of complaints to decide if a case warrants further investigation, if an alternative course of action might be more appropriate or if there is no prima facie evidence of a code of conduct breach.

A further responsibility which falls on the Independent Persons is to participate in an Independent Panel to advise the Council in the event of disciplinary action being taken against a statutory officer. In that event the views of the Independent Panel must be sought before any decision can be taken by the Council to dismiss the Officer who is the subject of the disciplinary action. At least two Independent Persons must constitute that Panel. Whilst one of those could potentially be drawn from another authority the Council has resolved to appoint two Independent Persons. This will also provide sustainability in the event that one of the Independent Persons is not able to act on a code of conduct issue due to a conflict of interest or if they are absent through sickness or for any other reason.

TERMS AND CONDITIONS OF APPOINTMENT

The appointment is for a 4 year term from the Annual Meeting of the Council in May 2019.

The role carries a fixed remuneration of £1,500 per annum for the 4 year term together with reimbursement of any reasonable costs for travel & subsistence in accordance with the Council's approved policies.

INFORMATION ABOUT THE ROLE

The Independent Persons will need to be contactable at all times during normal working hours by telephone or by email and to be available to attend hearings which may be held in the daytime and may be convened at relatively short notice.

COMPLETION & SUBMISSION OF APPLICATION FORM

The selection criteria for the role are set out in the attached documentation. Please ensure that you carefully demonstrate in the application how you meet the criteria as this will be used to assist in the short listing process.

INDEPENDENT PERSONS

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.
- Excellent analytical and evaluation skills.
- Excellent communication skills in particular the ability to provide clear rationale for decisions and to explain decision making when required.
- Experience of dealing with complex & sensitive issues with objectivity and clarity.
- Flexibility to deal with urgent requests.

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.
- Not be actively engaged in party political activity.

Desirable additional criteria

- 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.
- Experience of participating in disciplinary hearings
- Awareness of the role of equalities in local government

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.

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

Eligibility for Appointment

A person cannot be appointed as 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.

ROLE OF INDEPENDENT PERSON – NEWARK AND SHERWOOD DISTRICT COUNCIL

ROLE DESCRIPTION

Responsible to: The Council

Liaison with: Monitoring Officer, members of the Policy & Finance Committee 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 Newark and Sherwood District 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 Policy & Finance Committee before it makes a decision on an investigated allegation and to be available to attend meetings of a Hearing Panel convened for this purpose.
- 3 To be available for consultation by the Monitoring Officer 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 any town and parish councillor) who is the subject of a standards complaint.
- 5 To develop a sound understanding of the ethical framework as it operates within Newark and Sherwood District Council and its town and parish councils.
- 6 To participate in training events to develop skills, knowledge and experience and in networks developed for Independent Persons.
- 7 To attend training events organised and promoted by the Council.
- 8 To act as advocate and ambassador for the Council in promoting ethical behaviour.
- 9 To participate as an Independent Person in any Independent Panel established in accordance with the Council's Constitution prior to the Council taking any decision on a proposal to dismiss a Statutory Chief Officer and, as a member of that Panel, to give advice, views and recommendations to the Council in respect of the same.

NEWARK AND SHERWOOD DISTRICT COUNCIL

APPLICATION FOR THE POSITION OF INDEPENDENT PERSON

Individuals who wish to be considered for appointment as Independent Person at Newark and Sherwood District 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:

Contact Details:

Daytime Telephone Number:

Mobile 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:

ADDITIONAL INFORMATION

7. Please give details of any criminal convictions within the past five years including date and sentence imposed

8. Please indicate whether there is any matter concerning your own conduct which, if it were generally known, might affect public confidence in your ability to carry out this role

9. Please indicate whether you have any commitments which would regularly prevent you from being available in the daytime and give the nature of that commitment

10. REFERENCES

Please provide details of at least 2 people who have known you for at least 12 months in a personal or professional capacity.

1. Name:

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Address:

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Telephone No.....

2. Name:

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Address:

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Telephone No.....

Note: references will be taken up for all applicants who are invited for interview.

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 or Officer of the District Council.
- I am not related to, or a close friend of, any Member or Officer of the District Council.
- I am not currently an Officer or Member of any other relevant authority (this includes parish, district, county and unitary councils and Police and Fire Authorities).
- I am not actively engaged in local party political activity.

Signed

Date

Please return this application form by 15 February 2019 addressed to:

Catharine Saxton
Democratic Services Officer
Newark & Sherwood District Council
Castle House
Great North Road
Newark
Nottinghamshire
NG24 1BY

Or send the completed form to catharine.saxton@nsdc.info

EQUAL OPORTUNITIES MONITORING

To help us check that we are selecting people fairly, please mark the appropriate sections below.

Female	Male	Date of Birth
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Do you consider your ethnic origin to be:

<p>White</p> <p>British <input type="checkbox"/></p> <p>Irish <input type="checkbox"/></p> <p>Any other white background <input type="checkbox"/></p>	<p>Mixed</p> <p>White & Black Caribbean <input type="checkbox"/></p> <p>White & Black African <input type="checkbox"/></p> <p>White & Asian <input type="checkbox"/></p> <p>Any other mixed background <input type="checkbox"/></p>	<p>Black</p> <p>Black British Caribbean <input type="checkbox"/></p> <p>African <input type="checkbox"/></p> <p>Any other black background <input type="checkbox"/></p>
<p>Asian</p> <p>Asian British <input type="checkbox"/></p> <p>Indian <input type="checkbox"/></p> <p>Pakistani <input type="checkbox"/></p> <p>Bangladeshi <input type="checkbox"/></p> <p>Any other Asian Background <input type="checkbox"/></p>	<p>Any other ethnic group</p> <p>Chinese/Vietnamese <input type="checkbox"/></p> <p>Cypriot Greek <input type="checkbox"/></p> <p>Cypriot Turkish <input type="checkbox"/></p> <p>Cypriot Other <input type="checkbox"/></p> <p>Any other ethnic group <input type="checkbox"/></p>	

Do you consider yourself to have a disability:

[Yes] [No]

If yes, please state nature of disability:

The Disability Discrimination Act defines disability as

“A physical or mental impairment which has a substantial and long-term effect on the person’s ability to carry out normal day-to-day activities”

PERSONAL DETAILS

DATA PROTECTION STATEMENT

The information that you provide on this form and that is obtained from other relevant sources will be used to process your application for appointment for the position of Independent Person to Newark & Sherwood District Council. The personal information that you give us will also be used in a confidential manner to help us monitor our selection process.

If you succeed in your application and take up the position, the information will be used in the administration of your term of office with us and to provide you with information about the Council or third party via your payslip. We may also use the information if there is a complaint or legal challenge relevant to this selection process.

We may check the information collected with third parties or with information held by us. We may also use or pass to certain third parties information to prevent or detect crime, to protect public funds, or in other ways as permitted by law.

By signing the application form it will be assumed by the Council that you agree to the processing of sensitive personal data, (as described above), in accordance with the Council's registration with the Data Protection Commissioner.