

East Hampshire District Council

and

Havant Borough Council

RECRUITMENT PACK FOR

APPOINTMENT OF

VOLUNTARY INDEPENDENT PERSONS

Appendix B – Application Pack

East Hampshire District Council and Havant Borough Council

Appointment of three Independent Persons to be consulted on Councillor Code of Conduct Complaints and to act as the Council's Independent Remuneration Panel.

Councillor Complaints

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.

East Hampshire District Council and Havant Borough Council will appoint three Independent Persons, who will be consulted on the decision to investigate complaints and before it makes a decision on an investigated complaint. The Independent Person may be consulted on other standards matters, including by the Councillor who is subject to an allegation.

Independent Remuneration Panel

The Local Authorities (Members' Allowances) (England) Regulations 2003 requires an Authority to establish and implement a scheme which provides for the payment of allowances in accordance with the Regulations.

To do this, the Councils must establish an Independent Remuneration Panel. The Panel must produce a report making recommendations as to the payment and amount of all forms of allowances, the duties to which special responsibility allowances should attach and whether allowances should be index linked. The Panel is required to make recommendations to the Council whenever the Council decides to either revoke or amend its current scheme.

Full details of the role and responsibilities of the Independent Person are included in this Recruitment Pack.

An annual stipend of £1,000 will be paid to each Independent Person.

For further details, including the eligibility criteria please visit the Council's website or contact:-

XXX

The closing date for applications is XXX. An informal discussion, to ascertain suitability, will be held on XXX.

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INDEPENDENT PERSON APPOINTED UNDER THE STANDARDS REGIME

PERSON SPECIFICATION

	Essential	Desirable
<p>Qualifications:</p> <ul style="list-style-type: none"> No specific qualifications or background is required however a clear commitment to the role and its responsibilities are essential 	✓	
<p>Knowledge and Skills:</p> <ul style="list-style-type: none"> A good communicator Enhanced questioning skills A natural problem solver Assertive Inquisitive, open minded and non-judgmental Have a general understanding of the principles behind the Members' Code of Conduct. Have experience of setting remuneration levels in complex organisations Awareness of the background to the new Standards Regime Computer Literate 	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓
<p>Experience:</p> <ul style="list-style-type: none"> A demonstrable interest in local issues Experience in Committee working. An interest in public service, particularly local government Live and/or work in Hampshire. 	✓ ✓	✓ ✓
<p>Competencies:</p> <ul style="list-style-type: none"> A person in whose impartiality and integrity the public can have confidence. Able to understand and comply with confidentiality requirements Able to make a significant contribution to the work of the Committee Committed to undertaking the background work in preparation for meetings To be available to attend and contribute to meetings 	✓ ✓ ✓ ✓	
<p>Other Requirements:</p> <ul style="list-style-type: none"> Able to attend Council offices for meetings and consultations as required through the Standards Process Able to attend programmed meetings, ad hoc if required, and devote preparation time for each meeting. Able to travel between Councils in order to attend meetings as required Able to access emails and undertake work at home if required Be available for telephone/email consultation 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 and agree to continue to disclose 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 a member of any political party or have a public profile in relation to political activities. 		

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INDEPENDENT PERSON

ROLE DESCRIPTION

1. To attend regularly and participate in meetings of any Committee established to deal with the conduct of Councillors, including consultative meetings/informal dispute resolutions with the Monitoring Officer and/or Councillors [Note:- meetings may be held during the evening as well as during the day and may require travelling between Councils. Consultations may take the form of a telephone conversation or email correspondence].
2. To participate as an independent person in hearings in relation to complaints of Councillor misconduct under the Code of Conduct.
3. To actively promote ethics and standards within the District, Borough, Town and Parish Councils within the County.
4. To develop and apply knowledge of the Code of Conduct in relation to matters alleging breaches of the Code of Conduct.
5. To assist in the preparation of reports and determination of allegations of Councillor misconduct in conjunction with the Monitoring Officer and Council Members.
6. To analyse and exercise fair and impartial opinion on conduct issues and to set standards of ethical behaviour.
7. To provide a view on the governance of the Council (both at Principal and Parish levels) and the conduct of their Councillors from an external perspective
8. To develop a sound understanding of the ethical and wider regulatory framework
9. To be aware of the views of the local community on ethical standards and to reflect those in carrying out the role.
10. Be prepared to undertake training and to participate in training events organised by the Council to promote awareness of the Code of Conduct
11. To attend meetings of the Council and civic and other functions in order to raise the profile of ethics and standards within the authority.
12. To review and provide comment on the Council's process of mayoral expense provision.
13. Attend meetings of the Independent Remuneration Panel to consider information in connection with the Members' Allowances Scheme.
14. To formulate a view and make recommendations to the Council as to any appropriate changes to the Members' Allowances Scheme, as laid down in the Local Authorities (Members' Allowances) (England) Regulations 2003 and Section 7, Superannuation Act 1972, namely:-
 - (a) the level of basic allowance for all Councillors;
 - (b) categories of special responsibility for which a special responsibility allowance should be paid and the levels of those allowances;
 - (c) the rate of childcare / dependency allowance;
 - (d) Travel & Subsistence Allowance; and
 - (e) any annual uplift.
15. To sit on the Independent Persons Panel, if required as and when, to hear, consider, ask questions and comment in respect of Statutory Officer discipline or grievance, and to prepare a report on same.

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Persons will be disqualified from serving as an Independent Person if they:

1. Are an elected Councillor of any Local Authority;
2. Are employed or appointed by East Hampshire District Council or Havant Borough Council;
3. Are a senior employee (in a politically restricted post) of another local authority;
4. Are the holder of any position within a political party at local, regional or national level;
5. Are the subject of a bankruptcy restrictions order or interim order;
6. Have been convicted in the last 5 years of an offence with a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine;
7. Are in debt to or in dispute with either East Hampshire District Council or Havant Borough Council; or
8. Are a relative or personal friend of an elected member of either East Hampshire District Council or Havant Borough Council

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APPLICATION FOR POSITION OF INDEPENDENT PERSON

1. Personal Details

Name:

Address:

Post Code:

Contact Details:

Daytime Telephone Number:

E-mail address:

2, Qualifications

(Please list in particular any qualifications which you think are relevant to the position of Independent Person)

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3. 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?

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

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5. Criminal Convictions and Cautions

Have you ever received a caution, including conditional Cautions, or been convicted by a Court of any offence or been reprimanded? Please see further information on spent and unspent convictions at the end of the application form.

YES

NO

If yes please give details and dates of any convictions (excluding driving offences))

Note: This does not apply to convictions which are spent in accordance with the Rehabilitation of Offenders Act 1974.

6. References will be taken up for all applicants who are invited for interview

<p>1. Name Address Telephone</p>	<p>2. Name Address Telephone</p>
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7. I confirm that, I...	Yes	No
Am able to attend Council offices for meetings and consultations as required through the Standards Process		
Am able to attend programmed meetings, ad hoc if required, and devote preparation time for each meeting.		
Am able to travel between Councils in order to attend meetings as required		
Am able to access emails and undertake work at home if required		
Am available for telephone/email consultation		
Do not currently have and must not enter into any contractual relations with the Council under which I will gain personally		
Have disclosed and agree to continue to disclose to the Council any matter in my background which, if it became public, might cause the Council to reconsider the appointment.		
Am not a member of any political party or have a public profile in relation to political activities.		

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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 or Borough Council.
- I am not related to, or a close friend of, any Member or Officer of the District of Borough Council.
- I am not currently an Officer or Member of any other relevant authority (this includes parish, borough, district, county and unitary council and Police and Fire Authorities.
- I am not actively engaged in local party-political activity.
- I understand that this is a voluntary role which attracts an annual stipend of £1,000 to cover costs incurred. I will not be an employee of either East Hampshire District Council or Havant Borough Council and confirm that I therefore not do not have the rights of employees or workers for the two authorities.

Signed:

Dated:

Please return this application form by XXX to XXX with a subject title: Independent Person, or addressed to XXX

Please find our Privacy Policy: <https://www.easthants.gov.uk/privacy-policy>

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Spent and unspent convictions

A criminal record will not necessarily be a bar to obtaining a position. Declaring a criminal conviction will not be taken into account unless relevant to the position.

Convictions that are unspent

- Unspent convictions **will come back on** [all levels of criminal record check](#) (basic, standard and enhanced).
- Offences which will never be considered as unspent can by the Home Office are set out here:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756791/List_of_offences_that_will_never_be_filtered_PDF_.pdf

Convictions that are spent

- Spent convictions and cautions **will not come back** on a [basic](#) criminal record check. Convictions become spent over a period of time depending upon the offence. For a list of rehabilitation periods please refer to this guidance document:
https://3bx16p38bchl32s0e12di03h-wpengine.netdna-ssl.com/wp-content/uploads/2017/05/Spent-poster_2017-for-web.pdf
- Some spent cautions and convictions **are removed from standard or enhanced checks** if they meet a set of technical rules known as [filtering](#). If your caution or conviction is now filtered, it will not show up on these checks.
- Most spent convictions and cautions will still appear on standard or enhanced checks. The Council will assess convictions against the role when making a recruitment decision.
- Spent convictions and cautions will [stay on your police record](#) – they are not deleted.

For further information relating to your personal circumstance please ensure you check your query with <https://www.criminalrecordsservices.com/dbs-check/what-is-the-difference-between-spent-and-unspent-convictions/> or <https://hub.unlock.org.uk/disclosure-calculator/> before completing this form.