City of Westminster

INFORMATION PACK

INDEPENDENT PERSONS OF THE CITY COUNCIL

Role: Independent Persons of the City Council

No of Roles: 2 or 3

Responsible to: The City Council’s Monitoring Officer

Responsible for: Advising on allegations of breach of the Members' Code of Conduct and the Council in respect of disciplinary proceedings against the Head of the Paid Service, the Monitoring Officer or the Chief Finance Officer.

Introduction to the Role

We are looking to appoint an ‘independent person’ to provide an important service to the City Council and contribute to maintaining the high ethical governance standards of the authority.

The appointment of independent members for the purposes of consultation is required by the standards provisions in the Localism Act 2011.

The role will require the successful applicants to be available for consultation if an allegation of breach of the Members Code of Conduct is received by the Council and to attend meetings, as required, of the Standards Committee to discuss wider ethical governance issues.
The independent persons will liaise, as necessary, with the City Council’s Monitoring Officer (in accordance with the Council’s complaints procedure) to consider complaints against Members and offer their impartial views on the respective case, including any investigations undertaken. The independent persons will also be invited to attend meetings of the City Council’s Standards Committee to participate in the consideration and discussion of wider ethical governance issues affecting the Council, as they relate to Members of the Council.

In addition, as part of a panel of at least 2 Independent Persons the successful applicants will be required to advise the full Council in the event of any disciplinary action being proposed against the Head of the Paid Service, the Monitoring Officer or the Chief Finance Officer. Support in this function will be provided by the Council’s Director of Human Resources.

**Person Specification:**

Some of the fundamental skills and qualities required are the following:

**Honesty and integrity:**

This role carries a high level of moral responsibility and the successful appointments will be placed in a position of trust in the authority. The independent persons may, due to the nature of the role, be privy to sensitive or private information which must be treated in confidence. Any information disseminated to an independent person in relation to an allegation of breach will be entirely confidential and there will be a fundamental expectation that the matters discussed are not disclosed further. The successful candidates will be able to evidence that they are able to be placed in a position of trust, handle confidential information with integrity and exercise discretion when discussing matters relating to the authority.

**Fair mindedness and impartiality:**

The Independent Persons will have a responsibility to consider the facts of any case and offer fair impartial views to the Monitoring Officer about an allegation of breach of the Code of Conduct. Applicants will be able to evidence the ability to exercise sound objective judgments, including a willingness to thoroughly challenge and impartially assess complaints, reports and defences; and act without bias when forming their views.

**Good communication skills and an enquiring mind:**

The Independent Persons will be invited to attend meetings of the Standards Committee – either in relation to an allegation case, or to discuss other ethical governance matters relating to the authority. The independent persons will be expected to fully participate in these discussions and good communication skills are essential.
The allegations of breach which the independent persons will be consulted about may be complex, involve numerous pieces of evidence, and could involve a degree of investigation by the Monitoring Officer, contributing further facets to the case. Applicants will be able to evidence an enquiring mind and be adept at analysing information and formulating views accordingly.

**Mature and sound temperament**

This role is not age restricted. However, those appointed will have a mature temperament and a fundamental appreciation of the responsibility attached to this role, having a genuine interest in dealing with standards hearings.

**Commitment and reliability**

The role is expected to be a long-term commitment. Whilst the Council reserves the right to terminate the appointment (should, for example, an individual prove to be unsuitable), it is expected that the post-holders will provide a commitment to undertake the role for the long-term.

**Please note that this role is legally restricted as detailed below:**

The Localism Act prohibits any person who within the last five years has been a Member, co-opted Member or officer of the City Council, from being appointed as the independent person who has the statutory role of giving views on any complaint about the conduct of a Member of the authority.

Section 28(8)(a) of Act also stipulates that a person is not independent (and cannot therefore be considered for appointment) if the person is:

(i) a member, co-opted member or officer of the authority,

(ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority, or

(iii) a relative, or close friend, of a person within sub-paragraph (i) or (ii).

**If you fall into any of these categories, please do not apply for this role.**

**Expenses**

This is a voluntary role which attracts no remuneration, with expenses of £500 per annum payable (per role) to cover any expenses incurred whilst carrying-out the role.