

MAIDSTONE BOROUGH COUNCIL

APPOINTMENT OF INDEPENDENT PERSON AND RESERVE INDEPENDENT PERSON

Under the provisions of the Localism Act 2011, the Council is required to appoint an Independent Person to assist the Council in promoting and maintaining high standards of conduct amongst its elected members and parish councillors.

The Independent Person will be consulted on the decision to investigate complaints and before the Standards Sub-Committee of the Council makes a decision on an investigated complaint. The Independent Person may be consulted on other standards matters, including by the member who is subject to an allegation.

A fixed allowance of £700 per annum is payable for the Independent Person together with reimbursement of travel and subsistence expenses (to be confirmed) and a fixed allowance of £300 per annum for a Reserve Independent Person.

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

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The closing date for applications is 21 June 2013. Interviews will be held in July 2013

APPOINTMENT OF INDEPENDENT PERSON – BACKGROUND INFORMATION

Under the provisions of the Localism Act 2011 the way that Maidstone Borough Council deals with conduct complaints about its elected members and parish councillors in its area has changed.

The statutory regulatory framework has been abolished and the Borough Council is now responsible for deciding how to deal with standards issues at a local level, and it has adopted its own local code and has determined the arrangements for dealing with complaints.

The Act provides that the Council must appoint an Independent Person to assist in dealing with complaints of misconduct. Full details of the role and responsibilities of the Independent Person are included in this Recruitment Pack.

The new arrangements came into effect on 1st July 2012.

It is intended to appoint an Independent Person together with a "Reserve" candidate to be in a position to act as Independent Person in the event that the person appointed is incapacitated or otherwise unable to act.

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.

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 an 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 Maidstone Borough Council.
- A member, co-opted member or officer of a parish council in Maidstone Borough Council's area, or a relative or close friend of the above.

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ROLE OF INDEPENDENT PERSON – MAIDSTONE BOROUGH COUNCIL

ROLE DESCRIPTION

Responsible to: The Council

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

1. To assist the Council in promoting high standards of conduct by elected and co-opted members of Maidstone Borough Council 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 Hearing Panel 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 parish councillors, who are the subject of a standards complaint.
5. To develop a sound understanding of the ethical framework as it operates within Maidstone Borough Council and its parish councils.
6. To participate in training events to develop skills, knowledge and experience and in networks developed for Independent Persons operating outside the Borough Council's area.
7. To attend training events organised and promoted by the Council's Standards Committee.