20.09.18

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**Bath & North East Somerset Council**

**RECRUITMENT PACK FOR**

**APPOINTMENT OF INDEPENDENT**

**MEMBERS**

Prepared by Maria Lucas Director of Legal & Democratic Services  
and Monitoring Officer

Dear

**APPOINTMENT OF INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE**

Thank you for your recent enquiry about becoming an Independent Member of the Standards Committee. I am very pleased that you have expressed an interest in the position.

I enclose some further information and an application form. With this letter you should receive:-

1. The current Code of Conduct for Members.
2. Current Terms of Reference for the Standards Committee
3. An application and reference form.
4. The criteria that will be used in the selection process.

The appointment process is as follows:-

You must return the application form together with reference form duly completed by close of business on 30th November 2018

Your application will then be considered and a shortlist of candidates for interview will be produced. You will be notified if you have been short listed and invited for interview.

Interviews will be held in the week commencing 10th December 2018 at the Guildhall, Bath. The interview will take the traditional form of questions and answers. There will not be any other tests or activities.

If you want to know anything more about the process, please contact Chris Salmon on 01225 394329

The Role of the Independent Member

The role of independent members on the committee is considered so important by the Council that the committee will not be able to conduct any business unless at least one independent member is present. Our committee currently comprises 3

Independent members, 5 Bath & North East Somerset councillors and 3 parish councillors.

The business of the committee includes monitoring the effectiveness of the Code of Conduct and arranging training for members on this and similar issues. The full terms of reference are enclosed.

The committee also considers individual complaints about Members’ conduct referred to it by the Council’s Monitoring Officer from time to time. This includes complaints relating to both Bath & North East Somerset Councillors and Parish Councillors within the district’s area. The committee has 6 scheduled meetings but these are used as required.

Please note that independent members of the committee must not now be, nor during the last five years have been a Member or employee of the District Council or any Parish in the district’s area. Anyone related to, or a close friend of, any Member or employee of the Council is also excluded.

I hope that having read this letter and the material enclosed with it, you will wish to apply to join the Standards Committee in discharging its important role. If you would like to talk about what would be involved, please do not hesitate to contact me.

Yours sincerely

Maria Lucas

**Director of Legal & Democratic Services**

**and Monitoring Officer**

Enclosures

Section A

1. **GENERAL PRINCIPLES OF HOLDING PUBLIC OFFICE**

**(LOCALISM ACT 2011)**

The ten general principles (set out below) are required to form the basis of the Code of Conduct.

**Selflessness**

Members should serve only the public interest and should never improperly confer and advantage on any person

**Honesty and Integrity**

Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

**Objectivity**

Members should make decision on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

**Accountability**

Member should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

**Openness**

Members should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.

**Leadership**

Member should promote and support these principles by leadership and by example and should act in a way that secures or preserves public confidence.

1. **STANDARDS COMMITTEE - Terms of reference**
2. Promote and maintain high standards of conduct by Councillors; Parish Councillors; co-opted members and church and parent governor representatives
3. Oversee the effectiveness of the Council's Constitutional arrangements from an ethical perspective and make recommendations to the Council on any desirable or necessary changes
4. Recommend to the Council Codes of Conduct and Practice or Protocols for members and/or

employees of the Council, including planning issues and Arrangements for dealing with complaints

1. Monitor and review such Codes and Protocols and the Register of Members interests
2. Consider and determine any allegations of misconduct against Members of the Council in accordance with the Codes and the Arrangements for dealing with complaints against councillors
3. Grant dispensations to Councillors; Parish Councillors; co-opted members and church and parent governor representatives relating to disclosable pecuniary interests as set out in the Localism Act 2011.

(g) Consider

i) any application for exemption from political restrictions in respect of a post, by the holder of that post, and

ii) any application from any person for a direction requiring a post to be included in the list of politically restricted posts.

(h) Consider any reports from the Council's Monitoring Officer regarding illegality, unlawfulness or maladministration and any report of the Local Government Ombudsman

(i) Consider and determine the Council's response to any internal or District Audit regulatory recommendations referred to the Committee by the Monitoring Officer.

(j) Make representations to the Government, Local Government Association and other external bodies on matters relating to the general principles of conduct for members and employees of the Council;

(k) Make arrangements for training to Councillors; Parish Councillors; co-opted members and employees in connection with any matter within the terms of reference of the Committee.

(l) Liaise with the District Auditor and the Local Government Ombudsman

(m) Recommend to the Council from time to time as necessary the appointment of Independent Members to the Committee following open advertisement, short listing and interview.

**Membership of the Standards Committee**

* 5 x elected members (voting) - 3 Conservative, 1 Liberal Democrat and 1 Independent Group member.
* 3 x independent members - one of whom will chair the Committee (non-voting).
* 3 x Parish representatives
* The independent Person and Deputy Independent Person will be invited to attend the meeting and provide relevant comment.

**Quorum**

For ordinary business, the quorum is 3 members, plus one independent member. When considering parish matters, the quorum shall include at last one parish representative.

For considering individual cases, the quorum shall be 5 members, including at least one independent member, and if a parish matter, at least one parish representative.

No more than one Cabinet Member may be appointed to the Committee. The Leader of the Council may not be a member of the Committee. In no circumstances may a Cabinet member chair a meeting of the Standards Committee.

1. **INDEPENDENT MEMBER OF STANDARDS COMMITTEE**

**PERSON SPECIFICATION**

|  |  |  |
| --- | --- | --- |
|  | **Essential** | **Desirable** |
| **Qualifications**   * No specific qualifications or background is required |  |  |
| **Skills**   1. Ability to weigh/sort complex evidence and reach rational conclusions 2. Ability to be objective, independent and impartial 3. Good Interpersonal skills 4. Understanding of the Standards Committee’s main functions | ✓  ✓  ✓  ✓ |  |
| **Knowledge**   1. B&NES geographical area and its communities 2. B & NES Code of Conduct 3. Understanding the complexities of issues surrounding standards and ethics in local government and public life |  | ✓  ✓  ✓ |
| **Experience**   1. Work to behavioural standards involving ethics and probity 2. Demonstrating confidentiality and integrity 3. Able to make a significant contribution to the work of the committee | ✓  ✓  ✓ |  |
| **Other**   1. Live or work within BANES 2. Must not be, or have been an officer or member of B&NES within the previous 5 years, from date of appointment 3. Must have no personal, legal or contractual relationship with B&NES Council (including employees or members of former staff) or any conflict of interest 4. Must not be politically active or a member of a political party 5. Able to attend approximately four/five programmed meetings and ad hoc if required, and devote preparation time for each meeting 6. Committed to the four year term of office | ✓  ✓  ✓  ✓  ✓ | ✓ |

1. **ROLE DESCRIPTION**
2. To assist the Council in promoting high standards of conduct by elected and co-opted members of Bath & North East Somerset 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
3. To attend regularly and participate in meeting of the Standards Committee (NOTE: meetings will normally be held during the early evening and may occasionally be called at short notice).
4. To participate in and/or chair hearings in relation to complaints of member misconduct under the Code of Conduct
5. To analyse and exercise fair and impartial judgement on conduct issues and to set standards of ethical behaviour.
6. To develop a sound understanding of the ethical and wider regulatory framework within which the Council operates and to contribute to the overall effectiveness of the full scope of the work of the Committee
7. To participate and undertake training and participate in training events organised by the committee to promote awareness of the Code of Conduct.
8. To attend meetings of the Council and other functions in order to raise the profile of ethics and standards within the authority
9. **NOTES ON ELIGIBILITY**

A person may not be appointed an Independent Member unless the appointment is:

1. approved by a majority of the members of the authority
2. of a person who has not within the period of five years immediately preceding the date of the appointment, been a member, co-opted Member or Officer of the authority or of a Parish Council of the authority
3. of a person who is not a relative or close friend of a person within b)
4. of a person who has no personal, legal or contractual relationship with Bath & North East Somerset Council.
5. Of a person who has a conflict of interest within the Council.

**APPLICATION FOR THE POSITION OF**

**INDEPENDENT MEMBER**

**OF THE STANDARDS COMMITTEE**

Individuals who wish to be considered for the appointment as an Independent Member of the Standards Committee of B & NES 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 selecting committee members. 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:**  **Male/Female:**  **Employment Status (please delete as appropriate)**  **Employed/Self Employed/Retired**  **Contact details:**  **Daytime Telephone Number:**  **Mobile:**  **E-mail Address:** |
| 1. **QUALIFICATIONS:**   (Please list in particular any qualifications which you think are relevant to the position of Independent Member of the Standards Committee) |
| 1. **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 which is relevant to this application.) |
| **4. RELEVANT EXPERTISE/SKILLS**  (Please outline briefly any knowledge or expertise which you believe would be particularly relevant to your role as an Independent Member of the Standards Committee having regard to the selection criteria for the position) |
| **5. Have you been a Member, a Co-opted Member, or an officer of the Council, or a Standards Committee Member, at any time in the last 5 years?**  **Member YES/NO**  **Co-opted Member YES/NO**  **Officer YES/NO**  **Standards Committee Member YES/NO**  **If yes when did you last cease to be?** |
| **6. Are you a relative or a close friend of any Member or Officer of the Council? YES/NO**  **If yes, please give details** |
| **7. Are you currently a Member or Officer of any other Local Authority:**  (This includes Parish Councils, Police and Fire Authorities)  **YES/NO**  **If yes, please provide the name of the Authority** |
| **8. Are you a major supplier to, partner or contractor with the Council?**  **YES/NO**  **If yes, please supply details** |
| **(Note: Those who are required to answer “yes” to any of questions 5, 6,7 & 8 will be ineligible for appointments under the relevant regulations).** |
| **9. Please provide details of any organisations (including political parties) you are, or have been a Member of during the past 5 years.** |
| **10. REHABILITATION OF OFFENDERS ACT 1974**  **Do you have any criminal convictions that are not considered ‘spent’ or defined by the Rehabilitation of Offenders Act 1974?**  **YES/NO**  **If yes, please provide details:** |
| **11. Please provide any additional information you may wish to give in support of your application:** |

|  |
| --- |
| **References will be taken up for all applicants who are invited for interview.**  Please supply the name and address of a person whom we may contact for a reference as to your suitability for the role:   1. Name: 2. Name:   ……………………………… ………………………………  ……………………………… ……………………………..  ……………………………… …………………………......  ……………………………… ……………………………..  Telephone No……………. Telephone No. ………….. |

I wish to apply to be an Independent Member of the Council’s Standards Committee.

In submitting this application, I declare that:-

* I am not and have not during the past five years been a Member or Officer of B & NES Council or of any Town and Parish Council within the district’s area
* I am not related to, or a close friend of, any Member or Officer of the District Council
* I am not actively engaged in local party political activity and have not been for 5 years.
* I do not have any dismissal, convictions etc.
* I have no personal, legal or contractual relationship with B & NES or any conflict of interest

Signed …………………………………………………………………………

Date ……………………………………………………………………………

Please return this application form in the envelope provided by …………… addressed to:

Maria Lucas

Head of Legal and Democratic Services

Council Solicitor and Monitoring Officer

Bath & North East Somerset Council

Lewis House