



APPLICATION FORM

STANDARDS COMMITTEE

INDEPENDENT PERSON

NORTHAMPTON BOROUGH COUNCIL

INDEPENDENT PERSON APPLICATION

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STANDARDS COMMITTEE

INDEPENDENT PERSONS

A BACKGROUND INFORMATION

The Localism Act 2011 (the “Act”) requires the Council to promote and maintain high standards of conduct by Members and co-opted Members of the Council.

The Council has therefore adopted a Members’ Code of Conduct which reflects the Nolan Principles of Public Life as required by the Act. The Nolan Principles are Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty and Leadership.

Standards Committee

The Council’s Standards Committee has specific responsibility for promoting and maintaining high standards of conduct amongst Members and co-opted Members including involvement in the process for dealing with complaints that Members have breached the Code of Conduct. The Independent Person does not have a seat on the Standards Committee but will have the opportunity to be kept up to date with the Committee’s work.

Arrangements for dealing with allegations of breaches of the Members’ Code of Conduct

The Council has adopted formal arrangements for dealing with allegations of breaches of the Members’ Code of Conduct (the “Arrangements”). As required by the Act, these arrangements make provision for the appointment of at least one Independent Person whose views must be sought by the Council before it takes a decision on an allegation which it has decided warrants an investigation, and whose view can be sought by the Council at any other stage. The views of the Independent Person may also be sought by a Member against whom an allegation has been made.

Parish Councils

There are currently seven Parish Councils within the Borough of Northampton:

- Billing Parish Council
- Collingtree Parish Council
- Duston Parish Council
- Great Houghton Parish Council
- Hardingstone Parish Council
- Upton Parish Council
- Wootton and East Hunsbury Parish Council

Two new Parish Councils are due to be created on 1st April 2013.

Each Parish Council is responsible for adopting its own Code of Conduct which accords with the Nolan Principles. Northampton Borough Council is

responsible for dealing with allegations that Parish Councillors have breached their Parish Council's Members' Code of Conduct. The Arrangements adopted by the Council therefore also apply to Parish Councils within the Borough.

B FUNCTIONS AND RESPONSIBILITIES OF AN INDEPENDENT PERSON

1. To undertake the statutory role of Independent Person appointed under Section 28(7) of the Localism Act 2011 and to assist the Council to discharge its duty to promote and maintain high standards of conduct amongst Members and Co-opted Members.
2. To be consulted by the Monitoring Officer as required by the Monitoring Officer during the initial assessment of a complaint to determine whether it is admissible, whether it warrants formal investigation or is suitable for alternative resolution or whether it warrants no further action.
3. Following completion of any investigation, to review any Investigating Officer's report in consultation with the Monitoring Officer when required.
3. To provide their views to the Council before it makes a decision on an allegation that it has decided to investigate, and to be available to attend meetings of the Hearings Panel for this purpose.
4. Generally, to provide their views to the Council at any other stage of the Council's process for dealing with complaints against Members alleging breaches of the relevant Code of Conduct.
5. To be available for consultation by any elected or co-opted Member including any Parish Councillor who is the subject of a complaint and to provide their views as appropriate when sought.
6. To develop a sound understanding of the ethical framework as it operates within Northampton Borough Council and the Parish Councils within the Borough.
7. To participate in training events to develop skills, knowledge and experience relevant to assisting the Council in promoting high standards of conduct by elected and co-opted Members of the Council and by Parish Councillors within the Borough.
8. To act as an advocate and ambassador for the Council in promoting ethical behaviour.

C CRITERIA - INDEPENDENT PERSONS

An Independent Person will:

1. not be required to have any specific qualification or background, save a general interest in and capability to act impartially in a regulatory and consultative capacity
2. be committed to the need for high standards in public life and be aware of the views of the local community in relation to standards
3. have the ability to be objective, independent and impartial
4. understand and comply with confidentiality requirements
5. have a demonstrable interest in local issues and desire to serve the local community and uphold democracy
6. develop a sound understanding of the ethical and wider regulatory framework within which the Council operates
7. have an interest in public service and local government in particular
8. be of good standing in the community
9. be able to make judgements based on evidence or information presented in order to provide reasoned views

Please note you will be required to be contactable during normal working hours by telephone or e-mail and be available to attend hearings which may be held in the day time or evening.

Additional desirable skills/knowledge are as follows:

Working knowledge/experience of local government or other public service organisations or other large complex organisation.

Means of Assessment

Means of assessment will be by assessment of application form and by interview. You should demonstrate in your application form how you meet the above criteria as this will assist in the short listing process.

D ELIGIBILITY FOR APPOINTMENT

- A person **cannot** be appointed as an Independent Person if they:
 - 1) are, or have been within the past five years, a Member, co-opted Member or officer of the authority or of a parish council within the authority’s area; or
 - 2) are a relative or close friend, of a person within paragraph 1. For this purpose, “relative” means:
 - (a) the other person’s spouse or civil partner;
 - (b) living with the other person as husband and wife or as if they were civil partners;
 - (c) a grandparent of the other person;
 - (d) a lineal descendant of a grandparent of the other person;
 - (e) a parent, sibling or child of a person within paragraphs (a) or (b);
 - (f) the spouse or civil partner of a person within paragraph (c), (d) or (e); or
 - (g) living with a person within paragraph (c), (d) or (e) as husband and wife or as if they were civil partners.
- A person cannot be appointed as an Independent Person if they have been a member of any political party within the last five years or are actively engaged in party political activity.
- Please sign the declaration below to declare that you are not prohibited from being appointed as an Independent Person for any of the reasons stated in this Section and that you will notify the Borough Secretary of any relevant change of circumstances. If you are unable to sign this declaration, your application cannot be considered.

Signed *Dated:*

Print Name (in block capitals):

E. TERMS OF APPOINTMENT

- Appointment will be on a fixed basis until the Annual Council meeting in May 2015 and thereafter renewable for a period of four years.
- Appointment will be terminable by the Council at any time in the event of:
 - Incapacity
 - Failure to comply with any training requirements
 - Persistent failure to be available for consultation without good reason
 - Failure to observe the standards reasonably expected from an Independent Person AND in this context the Independent Person would be expected to refrain from any activity, political or otherwise, which would conflict with the impartial nature of the appointment
 - Failure to complete and keep updated a Register of Interests Form of such personal or pecuniary interests as the Council may from time to time consider appropriate for the Independent Person to declare
 - The Council giving three months' written notice
 - Any other reason/action which, in the view of the Council, is considered not to be commensurate with the expected standards from an Independent Person involved in the work of the Standards Committee and warrants termination
- Additionally, the Independent Person may by giving three months' written notice resign the appointment at any time. The Independent Person may decline to accept any renewal of a term of appointment.
- The role of the Independent Person is unsalaried, but an allowance of £500 will be paid (subject to the approval of the Full Council) in recognition of the role undertaken, in addition to reasonable expenses claimed for travel and subsistence when meetings have been attended, but otherwise, the work is entirely voluntary.
- In accordance with the Localism Act 2011, the appointment of the Independent Person has to be approved by a majority of the members of the Full Council.



NORTHAMPTON
BOROUGH COUNCIL

F. APPLICATION TO BECOME AN INDEPENDENT PERSON

1. Name _____ Title _____

Address _____

_____ Postcode _____

Day Time Telephone Number _____

Fax Number _____

e-mail address _____

2. Current or Most Recent Appointment (*If considered relevant*)

Employer _____

Address _____

_____ Postcode _____

Title Of Post _____

Dates From ____ / ____ / ____ To ____ / ____ / ____

Summary Of Duties _____

3. Previous Relevant Appointments
(list most recent first with dates and titles of post)

4. What experience do you have of dealing with local authorities?

5. Do you have experience in the conduct of hearings/meetings?

6. Do you have experience of disciplinary procedures on codes of conduct?

7. Why do you wish to serve as an Independent Person and what particular attributes do you believe you can bring to the work of the Standards Committee?

8. **Referees**– *please give the name of two referees, each of whom should have been known to you for at least three years*

Referee

Referee

Name

.....

Name

.....

Address

.....

Address

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.....

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.....

.....

Telephone
Number

.....

Telephone
Number

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9. Additional information

Please set out below any additional information relating to your suitability to carry out the role of Independent Person. (Please use extra sheets or separate sheets if you prefer).

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G DECLARATION

To the best of my knowledge and belief, the information given on this Application Form is correct.

Signature Date

Print Name (in block capitals)

H CLOSING DATE and CONTACT

The closing date for receipt of applications is **5pm on Monday 15th April 2013.** It is anticipated that interviews will be held in mid April.

Please return this form to the Borough Secretary's Department, Legal Services, Northampton Borough Council, The Guildhall, St Giles Square, Northampton, NN1 1DE for the attention of Marianne McCarthy (tel: 01604 837343) or by e-mail to mmccarthy@northampton.gov.uk.