

## **Appendix 5**

### **Procedure for making a recommendation for the Appointment of an Independent Person**

The Council will appoint at least one person to fulfil the role of the Independent Person under Section 28 of the Localism Act 2011.

A panel consisting of the leaders of the political groups of the Council shall set the remuneration and expenses for the Independent Person and any reserve and shall interview candidates and make a recommendation to Council for appointment.

The Monitoring Officer shall publicly advertise for candidates for the Independent Person and a possible reserve, using the attached Job Description and Person Specification.

The panel will meet to interview candidates.

After the interviews have taken place, and the interviewees have left, the panel will then make a decision on who is the preferred applicant(s) to be recommended to Council.

Appointment at Council shall be by a majority of all members of the Council (at least 28 members in favour), not just of those attending or voting.

The Standards Committee shall review the remuneration and expenses for the Independent Person and any reserve on an annual basis.

After the initial appointment, the appointment of an Independent Person will take place at Annual Council in May each year.

## JOB DESCRIPTION FORM

### Post Details

<b>Post Title:</b>	Independent Person for the Sevenoaks District Council
<b>Post Holder:</b>	Vacant (new position)
<b>Reports To:</b>	N/A

<b><u>Job Purpose</u></b>	The postholder will be the Council's Independent Person for the purposes of s28 of the Localism Act 2011 and will assist the Council and its Members to deal with any allegation that a Member has breached the Code of Conduct of the Council, or of the relevant Town/Parish Council.
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<b><u>Principal Accountabilities</u></b>	<ol style="list-style-type: none"><li>1. To advise the Council before it takes its decision on any allegation that it has investigated that a Member has breached the Code of Conduct of the Council, or of the relevant Town/Parish Council.</li><li>2. To advise the Council on any allegation that a Member has breached the Code of Conduct, in other circumstances at its request.</li><li>3. To advise any Member of the Council, or of any Town/Parish Council within the Council's area who is the subject of an allegation that he or she has breached the Code of Conduct, at the request of that Member.</li></ol>
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<b><u>Job Context:</u></b>	The postholder's duties are likely to be very occasional. He or she will be working essentially on a voluntary basis, but will be paid an annual retainer and reimbursed for
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	<p>travel expenses whenever required to carry out any duties.</p> <p>After the initial appointment, any subsequent appointment will take place at Annual Council in May each year.</p> <p>To apply for the post applicants must live or work within the vicinity of the area served by the Council. The applicant must not be as follows:-</p> <ol style="list-style-type: none"> <li>1. a member, co-opted member or officer of the authority;</li> <li>2. A member, co-opted member or officer of a parish council of which the authority is the principal authority, or</li> <li>3. A relative or close friend, of a person within (1) and (2) above.</li> </ol> <p>The persons set out in (1), (2), (3) above may not be appointed if at any time during the five years ending with the appointment the person was:-</p> <ol style="list-style-type: none"> <li>1. a member, co-opted member or officer of the authority;</li> <li>2. A member, co-opted member or officer of a parish council of which the authority is the principal authority.</li> </ol> <p><b>Notwithstanding these legislative requirements as set out in The Localism Act 2011, the transitional arrangements under The Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012 do allow that a person may be appointed if that person is:-</b></p> <ol style="list-style-type: none"> <li>1. not a member or co-opted member of the Standards Committee of the relevant authority on 1<sup>st</sup> July 2012: but</li> <li>2. has held such a post at any time during the five years ending on 30<sup>th</sup> June 2012.</li> </ol> <p><b>This only applies in relation to appointments made before 1<sup>st</sup> July 2013.</b></p>
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Prepared by:		Date:	
Approved by:		Date:	
Post Holder:		Date:	

## PERSON SPECIFICATION FORM

<b>Post Title:</b>	Independent Person for the Sevenoaks District Council
<b>Post Holder:</b>	Vacant (new position)
<b>Reports To:</b>	Monitoring Officer and Members

<b>Knowledge</b>	<i>Include specific knowledge that is important for the post holder to have in order to perform the role e.g. financial processes, systems, environmental issues.</i>	
	<b>Essential</b>	<b>Desirable</b>
	<p>1. Good understanding of the ethical standards required of people holding public office and the impact of ethical issues within a local authority context.</p>	<p>1. An understanding of the workings of the Sevenoaks District Council, its aims and objectives and the operations of the Town/Parish Councils within its area..</p>

<b>Skills</b>	<i>The post holder will require a certain level of these skills in order for the purpose of this role to be achieved e.g. communication skills, specific systems skills, negotiation skills etc.</i>	
	<b>Essential</b>	<b>Desirable</b>
	<p>1. A calm, rational approach to problem solving which considers detailed evidence to reach a balanced judgement.</p> <p>2. Good interpersonal skills, demonstrated through a considered, measured and consultative approach when dealing with potentially difficult or complex issues.</p>	

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<b>Qualifications</b>	<i>Academic or professional qualifications that would be important to the performance of this role.</i>	
	<b>Essential</b>	<b>Desirable</b>
	1. High degree of personal integrity.	
<b>Experience</b>	<i>Include any past experience the post holder could have that would help them perform this role e.g. working within the community, organisation of events, voluntary work etc.</i>	
	<b>Essential</b>	<b>Desirable</b>
	<p>1. Experience in dealing with difficult issues which need constructive and sensitive solutions.</p> <p>2. Experience of dealing with issues of ethical conduct in employment or public service.</p>	<p>1. Experience of working in or with local authority bodies.</p> <p>2. Experience of partnership working, where politically or ethically sensitive issues have to be considered.</p>

<b>Prepared by:</b>		<b>Date:</b>	
<b>Approved by:</b>		<b>Date:</b>	
<b>Post Holder:</b>		<b>Date:</b>	