

**RECRUITMENT PACK FOR
APPOINTMENT OF
INDEPENDENT¹ AND RESERVE INDEPENDENT PERSONS**

NORTH HERTFORDSHIRE DISTRICT COUNCIL
(also referred to as North Herts Council)

APPOINTMENT OF INDEPENDENT PERSON (IP) OR RESERVE IP

We are looking for a member of the public to take on the role of an IP or Reserve IP for North Herts Council. In deciding whether to apply for one of the roles, it's important that you can demonstrate a commitment to maintaining high standards in public life and be interested in local government.

North Hertfordshire is a large rural district with approximately 125,000 residents with four historic towns, Hitchin, Baldock, Royston and Letchworth Garden City, and many villages of varying scales, identity, and characteristics. The Council has 51 elected District Councillors and there are currently 27 local Parish, Town, and Community Councils with varying numbers of local Councillors. More information can be found on the Council's website:

<https://www.north-herts.gov.uk/home/council-and-democracy/about-council>

Your Role:

Under the provisions of the Localism Act 2011, the Council is required to appoint at least one IP to assist the Council in promoting and maintaining high standards of conduct amongst its District, Parish, Town, and Community Councillors; however, the Council also recruits up to two Reserves to assist with the various roles (including being the contact for any Councillor subject to a complaint to provide procedural advice).

The IP and Reserve IPs are expected to attend the public meetings of the Committee in person – usually 2 per year, and if acting as the main IP, would provide recommendations to any Sub-Committee hearing on a Councillor complaint (these are arranged if/ as required). The IP and Reserve IPs would also need to be available for informal quarterly liaison meetings with the Monitoring Officer, and the Chair & Vice Chair of the Committee.

The IP and Reserve IPs also have a potential role in reviewing any complaint against a statutory officer (Head of Paid Service, Chief Finance Officer, or Monitoring Officer) if there is a recommendation to dismiss them.

The IP will be consulted on complaints, prior to an initial assessment decision, after any investigation and before the relevant Sub-Committee dealing with the complaint comes to a decision on that and any sanctions. The IP and Reserve IPs may be consulted on other standards matters, and a nominated Reserve IP may be contacted by an elected Councillor that is subject to a complaint for procedural advice. The number of complaints varies every year with it varying around 20-30 (although some years this has been much higher, and last year was 11).

The role is initially for a fixed term period of up to 4 years (two-years, with the possibility of a two-year extension with confirmation by the Monitoring Officer in consultation with the Chair/

¹ WHICH MAY BECOME THE INDEPENDENT PERSON IN EVENT OF VACANCY

Vice Chair of the relevant Committee). This is subject to it continuing to be legally possible to appoint for such a term*, or that person no longer wishes to act as an IP or Reserve IP, or no longer meets the criteria for appointment (see **exclusions** – *Legal and special conditions below*), then the appointment will cease.

The Skills and Competencies for the role is at **Appendix A** below.

A description of the IP role from the Complaints Handling Procedure is set out in **Appendix B** below. Further information on the role can also be found in the Complaints Handling Procedure, which can be found on the Councillor complaints page [[CLICK HERE](#)].

Exclusions

Legal conditions

Applicants cannot be appointed or continue to be appointed as an IP or Reserve IP if they:

- i) are a Councillor, co-opted Councillor or officer of North Herts Council or a Parish, Town, or Community Councillor within the North Hertfordshire District Council area;
- ii) are related to, or be a close friend of (i) above;
- iii) have been a Councillor or co-opted Councillor or officer of North Herts Council or a Parish, Town, or Community Councillor within the North Hertfordshire District Council area at any time during the last 5 years;

Special conditions

- iv) have any significant business dealings with North Herts Council. ***[If unsure, disclose any within the application form that you have and these will be considered as part of the application process];***
- v) are an active member of a political party;
- vi) *[whilst not a Councillor]* fail, following the recommendation to Council to appoint, to sign an undertaking to comply with the requirements of the North Herts Council's Code of Conduct for Councillors, effective if appointed. See Section 17 of the Constitution [[CLICK HERE](#)];
- vii) *[whilst not a Councillor]* fail, to disclose Interests (see **Appendix C**) within 28 days of the appointment, or update those within 28 days of change of Interest. *[NB These are akin to those disclosed by Councillors to the Monitoring Officer];*
- viii) have within the last 12 months, or are party to: any grievance, complaint, or legal action against the Council, Councillors, or Officers. *[NB if appointed there is an ongoing requirement to disclose if this applies to the Monitoring Officer if this situation arises].*

For further information please visit the Council's website or contact: Jeanette Thompson, Service Director: Legal and Community (Monitoring Officer) 01462 474370. Note:

The closing date for applications is: **noon Monday 24 June 2024.**

Interviews will be held: **Tuesday 16 July 2024.**

All recommendations on appointment are legally subject to confirmation of appointment by Full Council on 19 September 2024, for commencement of role on 25 September 2024.

APPENDIX A
INDEPENDENT PERSON/ RESERVE INDEPENDENT PERSON ('IP')
SELECTION CRITERIA
SKILLS AND COMPETENCIES

The IP 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 IP should be able to demonstrate:

Essential criteria

- 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.
- have a credible and authoritative personal style.
- have strong oral and written communication skills.

The IP would ideally also meet the following desirable additional criteria:

- working knowledge and/or experience of local government or other public service and/or of large complex organisations
- experience or knowledge of public sector governance.
- awareness of and sensitivity to the political process.
- Understanding the pressures and constraints of elected or co-opted Councillors operating in a democratically accountable public body.
- knowledge and understanding of judicial/quasi-judicial or complaints processes.
- experience of managing or advising on misconduct matters (possibly in the context of employment, a professional body, or the voluntary sector).

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 in person interview.

NOTE: It is expected that the appointed IP and Reserve IPs will be contactable at all times during normal working hours by telephone or by email and to be available to attend hearings which may have to be convened at relatively short notice (no less than 5 working days).

APPENDIX B

**ROLE OF INDEPENDENT PERSON AND RESERVE INDEPENDENT PERSONS –
NORTH HERTFORDSHIRE DISTRICT COUNCIL (source Complaints Handling
Procedure)**

ROLE DESCRIPTION

Appointed by: The Council

Liaison with: Monitoring Officer, Deputy Monitoring Officer(s), Members of the Standards Committee, officers, District Councillors, and Town, Parish and Community Councillors within the district, key stakeholders within the community.

Reference to the IP includes the Independent Person and Reserve Independent Persons (except number 8 which is just the Reserve IP). The role is:

1. To assist the Council in promoting high standards of conduct by elected and co-opted Councillors of North Hertfordshire District Council and Parish/Town/ Community Councillors and in particular to uphold the Code of Conduct adopted by the Council and underpinned by the seven principles of public life, namely selflessness, honesty, integrity, objectivity, accountability, openness, and leadership.
2. To assist the Council by acting as advocate and ambassador in promoting ethical behaviour and by developing a sound understanding of the ethical framework as it operates within North Hertfordshire District Council and its local councils.
3. To be available for ad hoc consultation by the Monitoring Officer where the Monitoring Officer is dealing with a matter that has not reached the stage of a formal complaint.
4. To be available for consultations on assessment of a complaint with the Monitoring Officer
5. 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.
6. To be consulted by the Council through the Monitoring Officer and/or the Standards Committee before it makes a decision on an allegation that has been investigated and to be available to attend meetings of the Standards Committee in a non-voting advisory capacity.
7. To attend a CMH meeting of the Standards Sub- Committee and an FDH meeting to confirm the IP's views as to whether a breach of the Code of Conduct has occurred and any subsequent penalty (which will be taken into account).
8. To be available for consultation by any Councillor, including Parish/ Town or Community Councillor. This may be on an ad hoc basis for views on the Complaints Procedure or process as pre-arranged between the parties, either by telephone, on-line or at the Council's offices. It is not the role of the IP to act as advocate for the Councillor who is subject to the complaint, to negotiate complaint matters, or to provide substantive advice (legal or otherwise) on the allegations themselves. This will

generally be confidential between the Councillor and IP, unless the Councillor confirms they have acted illegally or has a complaint about the Procedure. This will then be confirmed to the Monitoring Officer.

9. To participate in training events to develop skills, knowledge, and experience and in any networks developed for Independent Persons operating outside the District Council's area. To share information and promote debate and discussion amongst the Standards Committee following such training. To attend training events organised and promoted by the Council's Standards Committee and Monitoring Officer.
10. To attend quarterly liaison meetings with the Monitoring Officer, Chair and Vice Chair of Standards Committee, to consider standards matters generally, including although not limited to the review of relevant complaints handling documents, guidance, and processes.

APPENDIX C

INTERESTS THAT A SUCCESSFUL APPLICANT WOULD NEED TO SUPPLY AT APPOINTMENT, UPDATE WITHIN 28 DAYS OF CHANGE AND ANNUALLY THEREAFTER:

'Relevant Person': is defined as a spouse or civil partner or a person with whom you are living as husband or wife or a person with whom you are living as if you are in a spousal relationship

1. Employment, office, trade, profession, or vocation.
Any employment, office, trade, profession, or vocation carried on by you or a relevant person for profit or gain (includes any payments or benefits in kind) in England.
2. Sponsorship/ other payments received in respect of your role as an IP or Reserve IP, other than allowances or expenses paid by the Council.
Any payment or provision of any other financial benefit made or provided within the last 12 months in respect of any expenses incurred by you in carrying out duties. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
3. Contracts
Any contract for goods, services or works made between you, a relevant person (or a body in which you or the relevant person has a beneficial interest) and North Herts Council, or other local Councils within the District which has not been fully discharged.
4. Land
Any beneficial interest in land that you or a relevant person has within North Hertfordshire District area. Note this includes the full address for residential or commercial premises and for other land, a road/ map identification, or TR/OS Grid reference.
5. Licences
Any licence (alone or jointly with others) which you, or a relevant person has, to occupy land, in the North Herts District area for a month or longer.
6. Corporate tenancies
Any tenancy between the North Herts Council as landlord and you, or a relevant person (or a body you or a relevant person has a beneficial interest in).
7. Securities
Any beneficial interest you or a relevant person has in securities of a body, where (to your knowledge):
 - a) that body has a place of business or land in the North Herts Council area; and
 - b) either
 - (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issue share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you have or a person referred to above has a beneficial interest exceeds one hundredth of the total issue share capital of that class.

8. Gifts & Hospitality

That you have received in the last 6 years related to your role as an IP or Reserve IP (if applicable) with an estimated value of at least £50. You are not required to detail facilities or hospitality provided by the Council. Otherwise, please detail:

- the gift or hospitality received, (or offered and refused);
- date it was received, and
- Person/ company/ body who provided this and their full address.

9. Outside bodies

(a) Any body of which you are a member or in a position of general control or management which:

(b) Any body:

(i) exercises functions of a public nature; or

(ii) is directed to charitable purposes; or

(iii) includes as one of its principal purposes the influence of public opinion or policy (including any political party or trade union).

Detail: Date of appointment & position (i.e. Director, Trustee, member/ representative/ non-voting observer).