



APPOINTMENT OF INDEPENDENT PERSONS UNDER THE LOCALISM ACT 2011

BACKGROUND INFORMATION

Durham County Council is a democratically elected assembly of 126 Members, known as Councillors. They are accountable to the people of County Durham for the efficient and effective provisions of a wide range of public services.

The County Council represents and promotes the interests of the people of County Durham at local, regional and national level.

Elections to the County Council are normally held every four years and the next elections are scheduled for May 2021.

The Council's powers and responsibilities are determined by Parliament.

The Council's Structure

The Council's decision making structure includes:

- A Cabinet of ten Councillors, which meets on a monthly basis to make decisions to implement the Council's policies and budgets;
- The full Council of 126 Councillors is responsible for approving the budget and policy framework, adopting and changing the Council's Constitution, appointing the Leader of the Council, appointing Chairs and Vice-Chairs, Committees and members to outside bodies. It is also a forum for general debate and recognising achievements and outstanding service
- A Corporate Overview & Scrutiny Management Board and its Committees, which can scrutinise and monitor decisions taken by Cabinet;
- Regulatory Committees responsible for functions such as planning, highways, licensing and standards.

Ethical Framework - The Standards Committee

The Localism Act 2011 provides the framework intended to secure high standards of conduct in public office. It requires the County Council to appoint at least one Independent Person who will be consulted on alleged breaches of the Members Code of Conduct for Members of the Council as well as Members of Town and Parish Councils within County Durham.

The Independent Person may also be consulted on allegations referred to the Monitoring Officer in deciding whether to investigate. Members who are the subject

of complaints are also entitled to seek the views of the Independent Person. The Independent Person is not however a member of the Council or its Committees. The Standards Committee has delegated to the Monitoring Officer the initial handling of complaints which can then be referred to the Standards Hearing Panel where appropriate.

The role of the Independent person will be important to the public's perception of the effectiveness of the Standards Committee and the maintenance of high standards of conduct, and it is very important that such members are seen to be genuinely independent of the County Council and any of its Town and Parish Councils.

The functions of the Independent Person in relation to Standards are:

- They must be consulted by the authority and their views taken into account before it makes a finding as to whether a member has failed to comply with the Code of Conduct or decides an action to be taken in respect to that member.
- They may be consulted by the authority in respect of a Standards complaint at any other stage; and
- They may be consulted by a member or co-opted member of the Council or a parish council against whom the complaint has been made.

The Council is also required to consider the recommendations of the Independent Person before taking a decision to discipline or dismiss one of the Council's Statutory Officers.

Helen Lynch
Head of Legal and Democratic Services and
Monitoring Officer to Durham County Council

INDEPENDENT PERSON

PERSONAL REQUIREMENTS

In view of the nature of the role the law restricts eligibility to certain persons. Please take into account the restrictions set out below.

CATEGORY	ESSENTIAL	DESIRABLE
Education	<ul style="list-style-type: none"> • A good general level of education, sufficient to enable the member to deal with relevant paperwork and discussions. 	
Work Experience		<ul style="list-style-type: none"> • Experience within a similar role that has involved the promotion of high ethical standards.
Skills, Knowledge and Aptitude	<ul style="list-style-type: none"> • Ability to analyse complex issues in a logical way, and to arrive at practical ethical solutions. 	<ul style="list-style-type: none"> • Knowledge of relevant public services.
Personal attributes	<ul style="list-style-type: none"> • Must display the highest standards of integrity and conduct. 	
Motivation	<ul style="list-style-type: none"> • Must have a firm belief in the importance of public services to the community. • Must have a firm belief in the importance of high standards of conduct to the successful achievement of the Council's objectives. 	
Restrictions	<ul style="list-style-type: none"> • Must not be a member, co-opted member or officer of Durham County Council or of a Town or Parish Council within County Durham and must not have held such a position within the previous five years. • Must not be related to, or a close friend of, a member, co-opted member or officer of Durham County Council or of a Town or Parish Council within Durham. 	

The Independent Person will be required to attend at least two meetings of the Standards Committee a year and be available by telephone and email for consultation on complaints. There is also a requirement to attend training periodically to ensure continuing competence for the role.

INDEPENDENT PERSON**APPLICATION FORM**

Surname (block letters)			Title Mr/Mrs/Miss/Ms
Forenames (block letters)			
Date of Birth			
Full Address			
How long have you lived at this address			
If less than five years at this address, please give details of your previous address(es), and dates occupied			
Tel. No.	Home	Work	
Mobile:			
e-mail address			

Please say whether there are any reasonable adjustments we could try to make to help you attend an interview

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1 Current Occupation		
Position	Organisation	From

2 Qualifications (Please list in particular any qualifications which you think are relevant to the position of Independent Person)	

3 Brief employment history			
Position	Organisation	From	To

4 Please explain your reasons for applying for the position, why you think you will be able to contribute towards maintaining high standards in public life and what skills, experience and qualities you would bring to the Council (use continuation sheet, if necessary).

5 REFERENCES: Please give details of two referees, not related to you, who have consented to be approached in relation to your application.

Name		Name	
Address		Address	
Tel. No.		Tel. No.	
Position		Position	

6 EMPLOYMENT COMMITMENTS (Where applicable)

Please confirm that your employer will release you to carry out the duties of an Independent Person

Tick one box

YES

NO

7 PUBLIC OR PRIVATE LIFE

Is there anything in your private or working life, or in your past, or to your knowledge in that of any member of your family or close friends, which, if it became generally known, might bring your or the Council into disrepute, or call into question your integrity, authority or standing as an Independent Person.

YES

NO

If yes, please give details (this may not affect the success of your application).

8 POLITICAL ACTIVITY

Are you actively engaged in local party political activity?

YES

NO

9 MEMBER OR OFFICER OF ANY AUTHORITY CONCERNED
Have you been at any time in the preceeding five years a member, co-opted member or officer of Durham County Council or of a Town or Parish Council within County Durham (please circle):
YES NO
If YES, state whether member or officer and the Council details.

10 RELATIONSHIP TO MEMBERS OR OFFICERS OF ANY AUTHORITY CONCERNED
Are you a relative or close friend of a member, co-opted member or officer of Durham County Council or of a Town or Parish Council within County Durham (please circle):
YES NO
If YES, state nature of relationship
<i>(Relative means a partner (a spouse, civil partner or someone a person lives with in a similar capacity), a parent, a parent of a partner, a son or daughter, a stepson or stepdaughter, the child of a partner, a brother or sister, a brother or sister of a partner, a grandparent, a grandchild, an uncle or aunt, a nephew or niece, the partners of any of the aforementioned).</i>

11 SIGNATURE AND DATE
I declare that the information I have given is true and complete.
Signed: Date:
Please return the completed Application Form by email to jill.errington@durham.gov.uk or by post to Jill Errington, Durham County Council, Democratic Services, County Hall, Durham, DH1 5UL.