

City of York Council

Independent Person Recruitment Information Pack

2023

Appointment of Independent Person – Background Information

Independent Persons

City of York Council is required by law to appoint at least one Independent Person to help promote and maintain high standards of conduct. The main part of the role is to assist with complaints about the behavior of elected and co-opted members of City of York Council and members of the Town and Parish Councils within the City.

City of York Council has 1 Independent Person currently in post and a vacancy arisen due to the resignation of the second Independent Person. The Council is also looking to create a pool of up to 4 Independent Persons to provide additional resilience within the Joint Standards Committee.

Code of Conduct

Every Local Authority in England is required to adopt a code of conduct to regulate the behavior of its own councilors. The current code of conduct (which is under review) can be found on the Council's website (see link below) and a copy is attached to this information pack.

<https://democracy.york.gov.uk/documents/s155872/Member%20Code%20of%20Conduct%202021.pdf>

Each Town and Parish Council in York has their own code of conduct, which can be found on the specific Town or Parish Council's website.

Complaints Procedure

City of York Council is required by law to have arrangements in place to deal with complaints against its own members and those councilors in Parish and Town Councils in the City. The complaints procedure for all complaints in York is attached to this information pack.

The Independent Persons deal with complaints on a case by case basis as notified by the Monitoring Officer. To assist applicants, the following documents are attached:

- The City of York Council Code of Conduct;
- Complaints Procedure;
- Independent Person Role Specification;

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- Independent Person Protocol;
- Application Form.

Eligibility for Appointment

A person cannot be appointed as an Independent Person if they are or were within a period of five years prior to the appointment:

- (a) A member, or co-opted member or officer of City of York Council,
- (b) A member, or co-opted member or officer of a Town or Parish Council within the area of City of York Council,

or, if they have a relative or close friend of a person in (a) or (b) above – see below.

A relative is defined as:

- (a) The applicant's spouse or civil partner;
- (b) Any person with whom the applicant is living as if they were spouse or civil partners;
- (c) The applicant's grandparent;
- (d) Any person who is a lineal descendent of the applicant's grandparent;
- (e) A parent, brother, sister or child of anyone in paragraphs (a) or (b);
- (f) The spouse or civil partner of anyone within paragraphs (c), (d) or (e);
or
- (g) Any person living with a person within paragraphs (c), (d) or (e) as if they were spouse or civil partner to that person.

Information about the Role

The Independent Person will need to be contactable during normal working hours by telephone or by email and will need to be available to attend hearings which may be held in the day time and at relatively short notice.

The Independent Person will be invited to attend any meeting of the Joint Standards Committee which is considering an allegation of a breach of the code of conduct. As well as dealing with complaints, the Committee meets approximately five times each year to undertake its general role of supporting the achievement of high ethical standards. The Committee usually invites the Independent Persons to attend those meetings. Such attendance may be virtual.

This is not a job vacancy and should you be appointed as an Independent Person you will not be an employee of the Council. This role does not attract any financial recompense, other than reimbursement of necessary travel expenses.

The term of office will be for a fixed term as notified to the Independent Person on appointment and will be subject to the Independent Person maintaining high standards of personal conduct. The Council may terminate an appointment at any time.

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Completion and Submission of Application Form

The selection criteria for the role is set out in the role description. Please ensure that you carefully demonstrate in your application form how you meet the criteria, as this will be used to assist in the short-listing process.

Applications will be assessed by reference to your completed application form and, if shortlisted, by interview. Shortlisted applicants will be invited to attend for interview. The successful applicant will receive specific training to enable them to undertake the role effectively.

Applications must be received by midnight on 23 October 2023

Interviews will be held on 2 November 2023

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ROLE SPECIFICATION

Duties

The independent person (IP) will:

1. Support the Council, and in particular the monitoring officer (MO) and Joint Standards Committee (JSC), in promoting and maintaining high standards
2. Work with the MO and JSC to identify any areas of concern with regard to standards or wider governance issues and to identify any specific training needs which may arise
3. Report to the Full Council periodically on the work of the IP and how the Council is promoting and maintaining high standards
4. Give its views to the Council as required under the Council Constitution on complaints that the Code of Conduct may have been breached

Essential Requirements

1. To demonstrate a keen interest in promoting high ethical standards in local government, and to have a general understanding of the principles behind the members' Code of Conduct.
2. To have good communication and interpersonal skills, and to be able to operate with tact and diplomacy.
3. To have a desire to serve the local community and uphold local democracy.
4. To be able to demonstrate an understanding of the standards of accountability and objectivity demanded of public authorities, and the continuous scrutiny under which they are placed.
5. To have an awareness of the importance of ethical behaviours.
6. To be able to use logical reasoning and bring qualities of open-mindedness and impartiality.

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7. To have sound decision making skills.
8. To be able to deal with substantial documentation and to analyse, interpret and absorb information and evidence effectively and quickly.
9. To understand and comply with confidentiality requirements.
10. To be a person of good standing in whose impartiality and integrity elected members and the general public can have confidence.
11. To be able to attend meetings and be available for telephone or email consultation, sometimes at short notice.
12. Not to be a member of any political party or have a public profile in relation to political activities.
13. To be willing to disclose to the Council any matter which, if it became public, might cause the Council to reconsider the appointment.

Desirable Requirements

1. To have a knowledge and/or experience of Local Government or other public service and/or of large complex organisations and awareness of and sensitivity to the political process.
2. To have knowledge and/or understanding of judicial/quasi-judicial or complaints processes.

The Independent Person will need to be contactable during normal working hours by telephone or by email and will need to be available to attend Committee meetings or hearings which may be held in the daytime and at relatively short notice.

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 by interview.

Eligibility for Appointment

Does this need amending to be the same as the A&G role?

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