**RECRUITMENT INFORMATION**

The role of Independent Person

The Localism Act 2011 introduced a requirement that local authorities appoint an ‘Independent Person’ who’s views should be sought and taken into account before any decision is made in respect of a complaint which has been investigated.

Person Specification

The Person Specification (at the end of this document) sets out the criteria that will be used in the recruitment and it is important that you should consider and make reference to how you meet the criteria in your application form.

Restrictions

There are some restrictions that apply to this recruitment, and you should consider if any of these apply to you before making an application. The restrictions are:

1. You must not be a Member or a co-opted Member of Darlington Borough Council, or a Member of a Parish Council in the Darlington area. Must not be an officer of Darlington Borough Council or of a Parish Council in the Darlington area
2. You must not have held any of the above positions within the previous five years
3. You must not be related to, or a close friend of, a Member, a co-opted Member or Officer of the Borough Council, or a Member or officer of a Parish Council in the Darlington area.

Appointment and Term of Office

Subject to there being suitable applicants, up to 2 Independent Persons may be appointed.

The intention is to hold interviews in early September with the recommended appointment(s) then being confirmed by a meeting of Council in September 2022.

The term of office is for 4 years.

About the role

The majority of the work will be via email/remote liaison with the Monitoring Officer about new complaints that have been received. Details will be provided, including some analysis by the Monitoring Officer, and the Independent Person will be invited to give their views. The same process will apply when matters are subject to an investigation. Once the investigation report is complete, the Independent Person will give their views about whether the matter should proceed to a hearing.

The Independent Person should also be available to attend relevant meetings and training sessions. The availability of persons invited to attend will be factored in when the date and time of such meetings and training is being arranged.

Should the Independent Person be unable to attend the Member Standards Hearing Committee in person it may be possible for views to be given in writing.

The Independent Person will be expected to read complaint forms, statements, investigation reports and other associated documents.

The Independent Person will also be consulted if there is a proposal to dismiss one of the Council's statutory officers.

Member Code of Conduct and other information

The Council recently adopted (in force 1 January 2022) a revised Code of Conduct based on the Local Government Association Model Councillor Code of Conduct [Local Government Association Model Councillor Code of Conduct 2020 (darlington.gov.uk)](https://democracy.darlington.gov.uk/documents/s15036/Code%20of%20Conduct%20for%20Members.pdf)

Details of how complaints are dealt with can be found here [arrangements-for-dealing-with-members-complaints.pdf (darlington.gov.uk)](https://www.darlington.gov.uk/media/3428/arrangements-for-dealing-with-members-complaints.pdf)

Darlington Borough Council has 50 Councillors and in addition there are 10 Parish Councils in the Darlington area with a combined total of 79 Councillors – so a total of 129 Councillors who must comply with a Code of Conduct. All members receive training and are encouraged to seek guidance on the Code of Conduct. The number of complaints received each year varies but on average is about 10 per year.

Training and support

Induction and training will be provided and support will be available to assist the Independent Person to carry out the role.

Further Information

If you would like to have an informal conversation about the role please contact Luke Swinhoe (Assistant Director Law and Governance and Monitoring Officer) email [luke.swinhoe@darlington.gov.uk](mailto:luke.swinhoe@darlington.gov.uk) or call 01325 405490

Closing date – **Monday 22 August 2022**

**INDEPENDENT PERSON - PERSON SPECIFICATION**

|  |  |  |
| --- | --- | --- |
| **CATEGORY** | **ESSENTIAL** | **PREFERRED/DESIRABLE** |
| **Education** | 1. E1 - A good general level of education, sufficient to enable the person to deal with relevant paperwork and issues. |  |
| **Experience** |  | 1. D1 - Experience of considering issues concerning conduct, standards or complaints. |
| **Knowledge** | 1. E2 - Some knowledge of the role of Councillors. 2. E3 - Some knowledge of local government |  |
| **Skill and Aptitude** | 1. E4 - Ability to analyse information (including complaints and associated issues) in a logical way and form a balanced decision. 2. E5 - Ability to communicate clearly both orally and in writing |  |
| **Personal Attributes** | 1. E6 - Must display high standards of integrity and conduct. |  |
| **Motivation** | 1. E7 - A firm belief in the importance of high standards of integrity and conduct in public life. |  |
| **Restrictions** | 1. E8 - Must not be a Member or a co-opted Member of Darlington Borough Council, or a Member of a Parish Council in the Darlington area. Must not be an officer of Darlington Borough Council or of a Parish Council in the Darlington area 2. E9 - Must not have held any of the above positions within the previous five years. 3. E10 - Must not be related to, or a close friend of, a Member, a co-opted Member or Officer of the Borough Council, or a Member or officer of a Parish Council in the Darlington area. | 1. D2 – Should have connections to the Borough of Darlington from living, working or visiting. |