

APPENDIX 1

APPLICATION PACK

Dear Applicant

APPOINTMENT OF INDEPENDENT PERSONS

Thank you for your interest in pursuing the role of Independent Person for Cheshire Fire Authority.

This document contains the following sections:-

1. Background Information about:-
 - a) Cheshire Fire and Rescue Service;
 - b) Cheshire Fire Authority;
 - c) Standards Generally;
 - d) Standards at Cheshire Fire Authority.
2. Description of the Appointment Process.
3. Outline of Skills and Role Description and Selection Criteria .
4. Application Form.

1. Background Information

- a. Cheshire Fire and Rescue Service

Please see attached Annex 1.

- b. Cheshire Fire Authority

Please see attached Annex 2.

- c. Standards Generally

A new Standards regime was introduced on 1 July 2012. Chapter 7 of the Localism Act 2011 places a number of duties on public bodies. They must:

- Promote and maintain high standards of conduct of Members (councillors)
- Adopt a Code of Conduct for Members (councillors)
- Have arrangements for dealing with complaints about breaches of the Code of Conduct by Members (councillors)

The arrangements referred to above must include provision for the appointment of at least one Independent Person.

The Independent Person's view may be sought by the public body and/or by the councillor who is the subject of the complaint. The Independent Person's view must be sought and taken into account by the public body before it makes a decision about a complaint that it has investigated.

d. Standards at Cheshire Fire Authority

The Authority has a Governance and Constitution Committee that oversees Standards issues and its Terms of Reference are set out in the attached Annex 3. It also has a Members' Code of Conduct Sub Committee to deal with complaints about a breach of its Members' Code of Conduct. The Terms of Reference of the Sub-Committee are also set out in Annex 3.

The Authority has also agreed a procedure for handling complaints about a breach of the Members' Code of Conduct and this is attached at Annex 4.

There have, to date, been no complaints about councillors in their capacity as members of Cheshire Fire Authority. Accordingly the commitment of an Independent Person for Cheshire Fire Authority is expected to be relatively small, with peaks of work should complaints be received by the Authority. An Independent Person for Cheshire Fire Authority will receive a payment of £35 per meeting attended and reimbursement of expenses incurred (travel/subsistence).

The Independent Person will not normally be required to attend Governance and Constitution Committee, but is likely to attend meetings of the Members' Code of Conduct Sub-Committee should it be necessary for that Sub-Committee to meet.

2. Description of the Process

The Act states that appointments can only be made following advert and application and providing that the majority of the Members of the public body approve the appointment.

Applications will be considered by a panel consisting of the Chair and two other elected Members of the Governance and Constitution Committee with the support of the Director of Governance and Commissioning. They will also carry out interviews and make recommendations to the Fire Authority.

Applications will be ranked and applicants will be invited to interview if they fall in the top three. Applicants outside the top three may be called for interview if any applicants are not recommended to Cheshire Fire Authority by the panel.

Not everyone is able to be an Independent Person. The following restrictions apply:-

Statutory

The Localism 2011 prevents a person from being appointed as an Independent Person if:

They are a Member (Councillor) or Co-opted Member (Non-Councillor) or Officer (Employee) of Cheshire Fire Authority (or have been such within the last five years) ¹ or

They are a relative or a close friend of a Member, Co-opted Member or Officer of Cheshire Fire Authority ².

Other

Cheshire Fire Authority has decided that an Independent Person should not be a Member (Councillor) of Cheshire East Borough Council, Cheshire West and Chester Borough Council, Halton Borough Council or Warrington Borough Council, or a relative of close friend of the same (rely on footnote ² for the definition of relative).

3. Outline of Skills and Role Description and Selection Criteria

Annex 6 provides information about the role and the skills that an Independent Person will require. It also sets out the selection criteria that will be used. The Annex is intended to explain to potential applicants what kind of individuals Cheshire Fire Authority is seeking to appoint to act as an Independent Person.

4. Application Form

The Application form is attached as Annex 7. This should be completed either electronically and submitted to joanne.smith@cheshirefire.gov.uk or in hard copy using black ink and returned to:

Joanne Smith
Governance and Corporate Planning Manager
Cheshire Fire and Rescue Service
Clemonds Hey
Oakmere Road
Winsford, Cheshire
CW7 2UA.

The closing date for the return of the application form is (DD/MM/YY).

Applicants should consider the information in Annex 5 and comment upon their experience and suitability by reference to the requirements in the Outline of Skills and Role Description and specifically taking into account the Selection Criteria.

Applicants are asked to supply details of two referees who are able to provide a character reference.

Footnotes

¹ There are transitional provisions which allow Members or Co-opted Members to be appointment as Independent Persons even if they have been Members/Co-opted Members in the past five years as long as they were no longer Members or Co-opted Members on 1 July 2012 when the Act came into force.

² The Localism Act 2011 defines a relative as someone who is:-

- a) the other person's spouse or civil partner,
- b) living with the other person as husband and wife or as if they were civil partners,
- c) a grandparent of the other person,
- d) a lineal descendant of a grandparent of the other person,
- e) a parent, sibling or child of a person within paragraph a) or b),
- f) the spouse or civil partner of a person within paragraph c), d) or e), or
- g) living with a person with in paragraph c), d) or e) as husband and wife or as if they were civil partners.