

Annex 5

Independent Person

Outline of Skills and Role Description

1. To be a person of good standing in the area covered by Cheshire Fire Authority with a residential or business or employment link within the area and preferably with some experience of governance or ethical standards in local government or a public body or experience in the discharge of regulatory, legal, or judicial functions.
2. To demonstrate a keen interest in promoting high ethical standards in local government.
3. To have the ability to operate effectively at a high level with both elected Members and senior officers of the Authority without compromising their personal independence.
4. To discharge the statutory role of an Independent Person as set out in the Localism Act 2011 namely the ability to give their views when consulted either by an elected Member who is the subject of an allegation of misconduct contrary to the Authority's Code of Conduct, the Authority's Monitoring Officer or by the Authority's Sub-Committee responsible for considering complaints before it reaches any decision or in any other circumstances when requested.
5. In order to discharge the statutory role any person seeking appointment as an Independent Person will need to expediently assimilate and assess the content of detailed investigation reports. This will involve an assessment by the Independent Person of whether the evidence indicates that the Member subject to an allegation has breached the Code of Conduct and may involve input concerning the decision as to whether any sanction should be imposed. The final decision on such matters is the responsibility of the Sub-Committee. The Independent Person will be expected to attend on request meetings of the Sub-Committee and may on occasion be required to give their views in public meetings.
6. The Independent Person shall, if requested, attend meetings of the Governance and Constitution Committee or the Fire Authority in order to assist generally in promoting high standards of ethical conduct.

7. The Independent Person will attend such other meetings as are necessary to discharge their role at the request of the Authority's Monitoring Officer. The Independent Person will be required to undergo training relevant to the role – expenses incurred in undergoing training will be met by the Authority.
8. The Independent Person will hold a statutory office under the terms of the Localism Act 2011 for a fixed term as notified to the Independent Person on appointment. The Independent person will be expected to maintain high standards of personal conduct. The Authority may terminate an appointment at any time.
9. An Independent Person must not be subject to any statutory bar on appointment. Applicants for appointment must submit an application in the approved format and take part in any process required by the Fire Authority.
10. The Independent Person for Cheshire Fire Authority will receive a payment of £35 per meeting attended and re-imbursement of expenses incurred (travel/subsistence). Payment will be subject to deduction of taxes and any other statutory charges by the Authority in accordance with HMRC requirements.

Selection Criteria

The following points describe the kind of person and their experience, skills and competencies against which applications will be measured:

Ideally an Independent Person will have all of the following:

- good standing and personal integrity
- desire to serve the local community and uphold local democracy
- appreciation of the importance of acting ethically
- interest in standards in public life
- objectivity, independence and impartiality
- knowledge of local government, elected members' role and the political context
- experience of handling/considering complaints about elected members
- understanding of fairness in a quasi-judicial context
- appreciation of the importance of confidentiality
- ability to assimilate and absorb complex information

- sound decision making skills
- good judgement
- excellent communication skills

An Independent Person will ideally be able to attend daytime meetings, sometimes at short notice and be capable of being contacted by email. In addition an Independent Person must be able to attend training.