

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 13 NOVEMBER 2019
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: APPOINTMENT PROCESS FOR INDEPENDENT PERSONS

Purpose of Report

1. To allow Members to determine how they wish to proceed with the appointment process.

Recommended: That Members;

[1] decide how they wish to proceed with the appointment process.

Background

2. The Localism Act 2011 requires the Fire Authority to “have in place (a) arrangements under which allegations can be investigated, and (b) arrangements under which decisions on allegations can be made.” The arrangements must include the appointment of at least one Independent Person.
3. Section 28 (7) of the Localism Act 2011 sets out how Independent Persons are to be engaged as part of the arrangements referred to above, i.e.
 - "a) whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate, and
 - b) whose views may be sought—
 - (i) by the authority in relation to an allegation in circumstances not within paragraph (a),
 - (ii) by a member, or co-opted member, of the authority if that person’s behaviour is the subject of an allegation. ...”

Information

4. A recruitment pack was approved by this Committee and an advert placed. The closing date for appointments is noon the day before the Committee is due to meet. The intention is to appoint two Independent Persons.

5. Members will be provided with information about the applications that have been received and will be asked to decide how they wish to proceed with the appointment process.

Financial Implications

6. The Independent Person does not receive a salary. However, they do receive a payment of £35 per meeting attended and re-imbusement of expenses incurred.

Legal Implications

7. It is a statutory requirement of the Localism Act 2011 to have arrangements to handle allegations made against members of the Fire Authority which must involve an Independent Person.

Equality and Diversity Implications

8. The application process ensures there is an equal opportunity for all candidates.

Environmental Implications

9. There are no direct environmental implications.

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BACKGROUND PAPERS: NONE**