

# CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 29<sup>TH</sup> JANUARY 2020  
**REPORT OF:** DIRECTOR OF GOVERNANCE AND COMMISSIONING  
**AUTHOR:** ANDREW LEADBETTER

---

**SUBJECT:** APPOINTMENT OF INDEPENDENT PERSON

---

## Purpose of Report

1. To enable Members to decide whether to recommend the appointment of an Independent Person.

## Recommended: That Members

- [1] determine whether they wish to recommend to the Fire Authority the appointment of an Independent Person.

## Background

2. Section 28 of the Localism Act 2011 relates to codes of conduct. It covers the requirements to have a code and arrangements to deal with complaints about breaches of the code. Those arrangements must include an Independent Person.
3. Section 28(7) of the Localism Act 2011 places a duty on the Fire Authority to appoint an Independent Person.

## Information

4. The role of Independent Person was advertised (as required by the Act) and one application was received.
5. Prior to this meeting a panel consisting of Members of this Committee will have had the opportunity to interview the applicant to enable them to decide whether to propose that the Committee recommend that the Fire Authority appoints him as an Independent Person.
6. Previous Independent Persons were appointed for an initial term of 3 years, but then asked to continue in role. While the Committee on Standards in Public Life recommended a term of two years, renewable once, this

Committee was not convinced about this when considering the matter last year. For now, it is suggested that the appointment be for a term of two years that is renewable, with no limit placed on the number of renewals at the outset.

### **Financial Implications**

7. The Fire Authority must have an Independent Person. There is little direct cost when the Independent Person is engaged in dealing with a complaint. Even then the cost is relatively small.

### **Legal Implications**

8. The report covers the legal requirements.

### **Equality and Diversity and Environmental Implications**

9. There are no equality and diversity or environmental implications.

**CONTACT: NAOMI THOMAS, FIRE SERVICE HQ, WINSFORD  
TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**