

## **ANNEX E**

### **Independent Person**

#### **Outline of Skills required 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 other public bodies 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 or by the Authority's sub-committee responsible for considering complaints before it reaches any decision about complaints about Members which have been investigated or in any other circumstances if so requested.
5. In order to discharge the statutory role any person seeking appointment as an Independent Person will need to demonstrate the ability to expediently assimilate and assess the content of detailed investigation reports into complaints of breach of the Code of Conduct and the ability to form and give views on issues arising to both elected Members under investigation and to the complaints sub-committee prior to the sub-committee making any decisions about such matters. This may involve an assessment by the Independent Member of whether the evidence indicates that the Member subject to an allegation has breached the Code of Conduct and on the issue of whether any sanction should be imposed. The final decision on such matters is the responsibility of the complaints sub-committee. The Independent Person will be expected to attend on request meetings of the complaints sub-committee and may on occasion be required to give their views in public meetings.

6. The Independent Person will attend such other meetings as are necessary to discharge their role in the complaints process at the request of the Authority's Monitoring Officer. The Independent Person may be required to undergo training relevant to the role – the expenses incurred in undergoing training will be met by the Authority.
7. The Independent Member shall if requested attend meetings of the Standards Committee or the Authority in order to assist the Authority generally in discussing and promoting high standards of ethical conduct.
8. The Independent Person will hold a statutory office under the terms of the Localism Act 2011 and shall not be an employee of the Authority. The term of office will be for a fixed term as notified to the Independent Person on appointment and will be subject to the Independent person maintaining high standards of personal conduct and compliance with the Code of Conduct. The Authority may terminate an appointment at any time for good cause.
9. An Independent Person must not be subject to any statutory bar on appointment and in particular must not have been a Member or Co-Opted Member of another relevant local authority as defined in the legislation during the last 5 years. Applicants for appointment must submit an application in the approved format and may be required to undergo CRB or other checks as deemed appropriate by the Authority and any offer of appointment may be made conditional upon and subject to satisfactory clearance.
10. The Independent Person will be entitled to an allowance and the reimbursement of reasonable travel and subsistence allowances necessarily incurred subject to the limits imposed under the Member allowances scheme. Payment will be subject to deduction of taxes and any other statutory charges by the Authority in accordance with HMRC requirements.