



**STANDARDS COMMITTEE**  
**2 FEBRUARY, 2005**

**AGENDA  
ITEM:**

**APPOINTMENT OF INDEPENDENT MEMBERS TO STANDARDS  
COMMITTEE**

**Summary of report:**

The report advises the Committee on the process proposed for the appointment to the two vacancies for independent members on the Standards Committee for the periods recommended in this report.

**Background Papers:**

All published.

**Recommendations**

- (1) That the contents of the report be noted.
- (2) That the Committee support the process proposed for the appointment to the two vacancies for independent members to the Standards Committee and note that the periods of office recommended will be until the end of the Municipal Year 2007/2008.

**Signed:** .....

**Assistant Director of Legal Services**

**Date: 25 January 2005**

**Financial implications**

There will be a cost to the Council in reimbursing independent members reasonable out of pocket expenses, such as travelling (subsistence) and other related expenses. These are difficult to quantify in advance and will be dependent on the level of activity of the Standards Committee. It is expected that all associated costs will be met from current budgets.

**Equality opportunity implications**

Independent members will be recruited to the Standards Committee having regard to the Council's Equal Opportunities Policy and best practice recruitment and selection procedures.

As a co opted member to a committee of the authority the independent members will need to observe and comply with the Councils code of conduct for elected members. That code requires that members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

**Environment Impact**

None.

**Legal implications**

Legal implications arising from this report are set out in the body of the report.

**Other policy implications**

The new ethical framework is a key part of the Local Government Act, 2000, and is integral in the wider modernisation agenda.

**Contact Officer:**

Frazer Powell (01922 652015)

## 1. Current position

1.1 The Local Government Act 2000 requires all local authorities to have a Standards Committee. The role of that committee is set out in statute and the Council Constitution. It includes, in addition to other matters

Promoting and maintaining high standards of conduct by the members and co optees of the authority

Assisting members and co optees to observe the code of conduct

Dealing with complaints of breaches of the Members Code of Conduct referred to the Monitoring Officer by the Standards Board for England

1.2 The Secretary of State has issued secondary legislation governing appointments and procedures of Standards Committees and its composition. The main points of the regulations are:-

- 25% of Committee members should be individual independent members where the Committee has more than three members.
- Appointment of independent members should follow a public advertisement.
- Appointment of individual independent members should be approved by a majority of the members of the authority.
- An independent member should not be related to or be a close friend of any Councillor or officer of the authority.
- An independent member must not have been a Member or officer of the authority in the preceding 5 years.
- Following the implementation of the new political management structure no more than one member of the Standards Committee will be able to be a member of the Executive.
- Standards Committees must operate under the same procedures as other Committees.

1.3 In addition to the above statutory requirements, the Council's Constitution provides for our Standards Committee to have 6 independent members not being a Councillor, nor an officer of the Council nor any other body having a Standards Committee.

1.4 The period of office of two existing independent members, Mr. M. Hodgson and Ms. K. McLeod will expire at the end of the current municipal year. The details of the periods of office of the other independent members on the Committee are as follows:

<b>Name</b>	<b>Period of office</b>
Mr. L. Bates	Ceases at end of municipal year 2005/2006
Mr. R. Meller	Ceases at end of municipal year 2005/2006
Mrs. S. Parsons	Ceases at end of municipal year 2006/2007
Mr. R. Taylor	Ceases at end of municipal year 2006/2007

## 1.5 **Periods of Office**

During the current recruitment process, applicants will be made aware of the need to stagger the retirement dates and will be asked to express a preference for the period of office that is available to ensure that process is more transparent. In the event that there are more successful candidates for a particular period of office than seats available, then the Monitoring Officer proposes to resolve the matter by secret ballot which he will undertake and then seek confirmation from the applicants that they are content with the periods offered. If there are still difficulties, Committee are asked to note that the Monitoring Officer will seek to resolve these in the best interests of the Council using his judgement.

## 2. **Process of appointment**

- 2.1 Appointment to the independent seats on the committee will follow a selection procedure which will include advertisement of the vacancy, seeking applications and a selection process.
- 2.2 It is proposed that a public advertisement for the two vacancies will be placed in both the local and ethnic minority press in late February, 2005 and also in the Council's job shop publication, the jobs website and a "mail shot" will be sent to the community empowerment network.
- 2.3 Completed applications will be requested back by mid March, 2005 and the shortlisting and interview process will be held in April 2005. The applicants who meet the selection criteria will be invited to attend an interview in mid/late April, 2005. The interview will assess how well the candidates meet the specification and the regulations.
- 2.4 Following the introduction of regulations in 2003 that provide for local determination of alleged breaches of the code of conduct it is important that members of the Council have confidence and respect for the Standards Committee, that it is not only free of bias but also seen to be. Applicants will be required to consent to a criminals records check. It is proposed that the selection panel be made up of each of the three main political group leaders, or their nominees and will be advised by the Monitoring Officer. Only those candidates who receive the unanimous support of the selection panel will be recommended for appointment to Council.
- 2.5 The two existing independent members whose period of office expires at the end of the current Municipal Year will have the opportunity to re-apply for these positions.

2.6 An information pack containing the following documents will be forward to all applicants:

- An application form ( attached)
- Personal specification ( attached)
- Terms of reference of the Standards Committee
- Copy of the Member Code of Conduct
- IDeA booklet on Standards Committee
- Copy of agenda from last meeting of the Standards Committee

2.7 It is anticipated that following a successful selection process Council at its annual meeting on 25 May 2005, will be recommended to make appointments to the two vacant positions.



WALSALL METROPOLITAN BOROUGH COUNCIL

**APPLICATION FORM FOR APPOINTMENT OF  
INDEPENDENT MEMBER TO THE STANDARDS  
COMMITTEE**

Please complete the form in black ink or type

Return to: Assistant Director of Legal Services and Monitoring Officer, 11th Floor, Tameway Tower, 48 Bridge Street, Walsall, WS1 1JZ by 5.00 p.m. on ..... 2005 please note CV's cannot be accepted.

Surname: \_\_\_\_\_ (Mr/Mrs/Miss/Ms) (Delete as appropriate)  
First Names \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_ Post Code \_\_\_\_\_  
Home Tel. No. \_\_\_\_\_ Work Tel No. \_\_\_\_\_  
Date of birth \_\_\_\_\_

**Present employment**

Job title: \_\_\_\_\_  
Employer: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the main activities of your present/most recent job:

**Previous employment** (*most recent first*)

Actual dates From    To	Employers name and address	Position held and reason for leaving

**Educational/Professional/Vocational qualifications**

Qualifications e.g. GCSE; AS/A2 level; NVQ's Degree; Professional qualifications	Subject	Grade	Date gained

**Job related training** *(give details of any training courses attended)*

**Candidates with disabilities**

Walsall Council will guarantee an interview for any disabled candidate who meets the criteria for an independent member. In order to help us fulfil this commitment, if you have a disability please tell us about any special requirements or equipment which may assist you:

- During the interview selection processes  \_\_\_\_\_
  
- In carrying out the role of an independent member  \_\_\_\_\_

Whilst we would encourage you to complete this section in order that we can meet any special requirements you may have, completion is optional.

**Criminal Disclosure and Rehabilitation of Offenders Act, Exceptions Order, 2001**

Applicants will be required to consent to a criminal record check (disclosure) prior to interview. You are required to declare both "spent" and "unspent" convictions and, if selected for interview, you will be questioned on this at interview.

**Membership of Professional Institutions**

*(State level and date of membership and whether gained by examination)*

**Please provide the names and addresses of two people who would be prepared to provide references in support of your application.**

1. Name _____	2. Name _____
Occupation _____	Occupation _____
Address _____	Address _____
_____	_____
Tel. No. _____	Tel. No. _____

## Equal Opportunities

Walsall Council is committed and working towards equal opportunity in employment.

In order to monitor the progress of our recruitment and selection practices we need from you personal details asked for on this tear-off slip.

This personal information will be kept securely and not made available to anyone before or during shortlisting to ensure that only your abilities, experience and qualifications are considered. CV's cannot be accepted because of the difficulty of removing personal details which would identify you.

### PLEASE NOTE

This authority is under a duty to protect the public funds it administers and to this end may use information you have provided on this form within this authority for the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes.

### Please remember to:

1. Check that you have completed all 7 pages of this application.
2. Sign the declaration on page 6.
3. Check that you have completed and signed the Criminal Records Disclosure Form
4. Return the form on or before the closing date to:  
**Assistant Director of Legal Services and Monitoring Officer, 11th Floor, Tameway Tower, 48 Bridge Street, Walsall, WS1 1JZ.**

### Please tick

**Sex:**  Female  Male      **Marital Status:**  Married  Single  
**Age**  16-18  19-25  26-35  36-45  46-55  56-68

How would you describe your ethnic origin?

White	<input type="checkbox"/>	British	Asian or Asian British	<input type="checkbox"/>	Indian
	<input type="checkbox"/>	Irish		<input type="checkbox"/>	Pakistani
	<input type="checkbox"/>	Other White		<input type="checkbox"/>	Bangladeshi
		<input type="checkbox"/>		Other Asian	
Mixed	<input type="checkbox"/>	White and Black Caribbean	Black or Black British	<input type="checkbox"/>	Black Caribbean
	<input type="checkbox"/>	White and Black African		<input type="checkbox"/>	Black African
				<input type="checkbox"/>	Other Black


White and Asian

Other mixed

Chinese

or other

Ethnic Group


Chinese

Other ethnic group

Under the Disability Discrimination Act, 1995, the definition of disability is:

“A person has a disability for the purpose of this Act if he/she has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day to day activities.”

Do you have such a disability  Yes  No

Where did you see the role advertised?

Did you see the role advertised in the Job Centre Yes  No

#### Data Protection Act, 1998

The information contained in this application form will be used to monitor the effectiveness of Walsall MBC's policies and practices, and in particular its Equal Opportunities in Employment Policy. This monitoring is for statistical purposes only and you will not be identifiable from this process. However, your personal details contained in the application form may be used in the prevention and detection of fraud. Where this occurs you will be identifiable.

The information may be disclosed to the following third parties.

- Survey and research organisations
- Organisations that monitor the improper use of public funds
- Local Government authorities
- Central Government authorities
- Law enforcement authorities

Application forms of unsuccessful candidates will be destroyed within six to seven months from the date the post was appointed to.

Are you currently employed by or have been employed by Walsall MBC in the last 5 years? Yes  No

Are you related to or a close friend of any Councillor or employee of Walsall Council? Yes  No

Are you employed by or a member of any public body which has a Standards Committee? Yes  No

## Declaration

Giving false information will result in your application not being pursued.

I confirm that the information contained in this application form is correct and that I have not omitted any relevant details.

I understand that canvassing a Councillor or employee of Walsall Council will disqualify my application.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Supporting information

Using the independent member specification as a guide, give examples of your abilities and experience gained in paid or voluntary work or leisure activities which will enable you to carry out the main functions of an independent member. Continue on a separate sheet if necessary.



## **WALSALL METROPOLITAN BOROUGH COUNCIL**

### **STANDARDS COMMITTEE – INDEPENDENT MEMBER**

#### **ROLE DESCRIPTION**

##### **Aims and role**

1. To attend, participate in and possibly, chair meetings of the Council's Standards Committee.
2. To assist Members of the Council to observe the Council's Code of Conduct and to maintain high standards of conduct generally.

##### **Skills required**

3. High ethical standards.
4. Good communication skills both written and oral.
5. Ability to participate in and chair meetings.
6. Ability to examine evidence and complex documentation and take an independent and unbiased view.
7. Ability to speak in public and to make media statements.
8. Ability to represent the Council on other bodies and organisations.

##### **Time commitment**

Not likely to be more than 1 day a month

##### **Remuneration**

A voluntary position, however, travelling and subsistence will be paid at the appropriate level.

##### **Special conditions**

9. You cannot apply, if you have been a Member or employee of the Council at any time during the last 5 years.

10. You cannot apply, if you are a relative or close friend of a Member or employee of the Council or are employed by or a member of any public body which has a Standards Committee.
11. You must sign an undertaking to comply with the Council's Code of Conduct for Members.
12. You must disclose whether you are an active member of any political party at local, regional or national level.
13. You must disclose whether you hold any contract with the Council.
14. You must disclose whether you are a party to any outstanding complaint or grievance by or against the Council.
15. Canvassing by the candidate will disqualify your application.