



Standards Committee

26 March 2007

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.

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 2009/2010.

Resource and legal considerations

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.

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

Citizen impact

Standards Committees were devised in part to bring about an improvement in standards in local government and also to raise public confidence. By adopting an open and transparent recruitment procedure, the Committee will be contributing to raising the public's perception and confidence of standards in the local authority. The ability to apply for the positions also enables citizens to participate and contribute to local democracy.

Environmental impact

None arising from this report.

Performance and risk management issues

None arising from this report.

Equality 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.

Consultation

None

Background papers

All published.

Signed:

Assistant Director of Legal and Constitutional Services

Date: 16 March 2007

Contact officer

Jo Whitehouse, Tell. 01922 652025

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, Mrs. S. Parsons and Mr. R. Taylor 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:

Name	Period of office
Dr. K. Biscomb	Ceases at end of municipal year 2007/2008
Ms. K. McLeod	Ceases at end of municipal year 2007/2008
Mr. R. Meller	Ceases at end of municipal year 2008/2009
Mr. L. Bates	Ceases at end of municipal year 2008/2009

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 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 vacancies, seeking applications and then 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 April 2007 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 late April 2007 and the shortlisting and interview process will be held shortly thereafter. The applicants who meet the selection criteria will be invited to attend an interview in May 2007. 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
- A copy of an agenda from the Standards Committee
- Copy of form “Declaration of financial and other interests”

2.7 It is anticipated that following a successful selection process Council at its annual meeting in May 2007, will be recommended to make appointments to the two vacant positions.



Walsall Council

APPLICATION FORM FOR APPOINTMENT OF INDEPENDENT MEMBERS TO THE AUDIT COMMITTEE, STANDARDS COMMITTEE AND INDEPENDENT REMUNERATION PANEL

Please complete the form in black ink or type

Return to: Jo Whitehouse, Constitutional Services, Civic Centre, Darwall Street, Walsall, WS1 1TP
by 2007 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:

Jo Whitehouse, Constitutional Services, Civic Centre, Darwall Street, Walsall, WS1 1TP.

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	<input type="checkbox"/> Indian
	<input type="checkbox"/> Irish	or Asian	<input type="checkbox"/> Pakistani
	<input type="checkbox"/> Other White	British	<input type="checkbox"/> Bangladeshi
			<input type="checkbox"/> Other Asian
Mixed	<input type="checkbox"/> White and Black Caribbean	Black	<input type="checkbox"/> Black Caribbean
	<input type="checkbox"/> White and Black African	or Black	<input type="checkbox"/> Black African
	<input type="checkbox"/> White and Asian	British	<input type="checkbox"/> Other Black
	<input type="checkbox"/> Other mixed	Chinese	<input type="checkbox"/> Chinese
		or other	<input type="checkbox"/> Other ethnic group
		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
- Local Government authorities
- Organisations that monitor the improper use of public funds
- 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 Council

WALSALL METROPOLITAN BOROUGH COUNCIL

STANDARDS COMMITTEE – INDEPENDENT MEMBER

ROLE AND 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.
3. To hear cases of alleged breaches of the Code of Conduct by Councillors and, if necessary, determine what sanctions ought to be imposed.

Skills required

4. High ethical standards.
5. Good communication skills both written and oral.
6. Ability to participate in and chair meetings.
7. Ability to examine evidence and complex documentation and take an independent and unbiased view.
8. Ability to speak in public and to make media statements.
9. 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

10. You cannot apply, if you have been a Member or employee of the Council at any time during the last 5 years.
11. 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.
12. You must sign an undertaking to comply with the Council's Code of Conduct for Members.
13. You must disclose whether you are an active member of any political party at local, regional or national level.
14. You must disclose whether you hold any contract with the Council.
15. You must disclose whether you are a party to any outstanding complaint or grievance by or against the Council.
16. Canvassing by the candidate will disqualify your application.