



Hertsmere Borough Council

Standards Committee - Independent Person

Job Description, Specification and Conditions of Appointment

In accordance with Section 28(7) of the Localism Act 2011, the Council is required to appoint an Independent Person.

The Council can also appoint a substitute to carry out the functions of the Independent Person when the Independent Person is unable to act for any reason including where the Independent Person has a conflict of interest. Accordingly, where the context so admits or requires, any reference in this document to an Independent Person shall be read and construed as a reference to the Substitute Independent Person

Job Description of Independent Person

1. To assist the Council generally in discharging its duty to promote and maintain high standards of conduct by Elected Members and Co-opted Members of Hertsmere Borough Council and the Town and Parish Councils established in the Borough.
2. To serve as a member of the Standards Assessment Panel and collectively with the Chair of Standards and the Monitoring Officer, determine whether a complaint alleging a failure by an elected or co-opted member to comply with the requirements of the Members Code of Conduct of their authority should be referred for investigation or informal action or whether no further action should be taken in respect of the complaint.
3. To be consulted by the Monitoring Officer in relation to any investigation report which concludes that there has been no failure by an elected or co-opted member to comply with the requirements of the Members Code of Conduct and where those conclusions are not accepted to have the right to refer the report to the Standards Committee for consideration.
4. To be consulted by the Standards Committee before it makes a determination on whether an elected or co-opted member has failed to comply with the requirements of the Members Code of Conduct.
5. To be consulted by the Standards Committee before it makes a determination on whether to impose or recommend the imposition of a sanction on an elected or co-opted member who has failed to comply with the requirements of the Members Code of Conduct.

6. Where requested, to advise an elected or co-opted member of Hertsmere Borough Council or of a Town and Parish Council established within Hertsmere who is the subject of an allegation that they have failed to comply with the requirements of the Members Code of Conduct.
7. To attend meetings of the Standards Committee and, with the consent of the Chair, to speak on any items of business on the agenda for the meeting.
8. To advise the Council on any future revision to its Members' Code of Conduct.

Person Specification

9. An Independent Person MUST:
 - Have a good understanding of the ethical standards required of persons holding public office;
 - Demonstrate high standards of integrity;
 - Demonstrate that they can remain independent in their thinking and decision making;
 - Be able to make judgements based on evidence or information presented;
 - Have questioning skills;
 - Be assertive;
 - Be able to act with tact and discretion and maintain the confidentiality of confidential and sensitive information; and
 - Demonstrate a commitment to equal opportunities
10. An Independent Person MUST NOT:-
 - Be, or have been during the last 5 years, a member, co-opted member or officer of Hertsmere Borough Council or a Town or Parish Council established in the Borough; or
 - A relative or a close friend of a member, co-opted member of Hertsmere Borough Council or a Town or Parish Council established in the Borough.

A person is defined by the Localism Act 2011 as a 'relative if they are:

- The spouse or civil partner or living as if they were a spouse or civil partner;
- A grandparent;
- A lineal descendant of a grandparent;
- A parent, sibling or child;
- The spouse or civil partner of a grandparent, lineal descendant of a grandparent, or a parent, sibling or child; or
- Living with a grandparent, lineal descendant of a grandparent, or a parent, sibling or child as if they were a spouse or civil partner.

of a member, co-opted member or officer of Hertsmere Borough Council or a Town or Parish Council established in the Borough.

Other Conditions of Appointment

11. To comply at all times with the requirements of the Members Code of Conduct and the Protocol Relating to the Role and Conduct of the Independent Person.
12. To undertake any training arranged by the Monitoring Officer to enable the Independent Person to perform their role effectively.
13. To attend meetings of the Standards Assessment Panel and Standards Committee. The Standards Assessment Panel will normally meet during the day. The Standards Committee meets a minimum four times per year and meetings normally take place at 6.30 pm at the Civic Offices in Borehamwood.
14. The Council will meet travel and subsistence expenses at the rates set for councillors and will also pay a modest annual allowance (subject to approval from time to time by the Independent Remuneration Panel and the Council).