



Recruitment Pack

Independent Chair and Independent Vice-Chair of Spelthorne Borough Council's Members Code of Conduct Committee

August 2020

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Advertisement

Vacancy for Independent Members of the Members' Code of Conduct Committee

Spelthorne Borough Council currently has two vacancies for Independent Members of the Members' Code of Conduct Committee

The Committee is responsible for promoting high standards of conduct by councillors, for advising the council on the content of its Members' Code of Conduct and for deciding whether allegations that breaches of the Code of Conduct have occurred are justified, and if so, whether any penalties should be imposed.

The Members' Code of Conduct Committee comprises 8 Borough councillors and 2 Independent Members, with the Chair and Vice-Chair elected from the Independent Members.

Independent Members are initially appointed for a period of 2 years and may be renewed once thereafter. The Members' Code of Conduct Committee meets up to 5 times a year, although Independent Members may need to make themselves available for unscheduled meetings at a week's notice should the need arise.

Applications are therefore invited from persons who would be interested in applying for the position.

In order to be eligible to apply for the position, applicants must not be:

- A member or officer or former member or officer of Spelthorne Borough Council.
- The husband or wife of a member or officer.
- A former member or officer of an authority other than Spelthorne Borough Council unless they have ceased to be so for a minimum of twelve months.
- In a close relationship with any member or officer of the Council
- Active in local or national politics

Suitable applicants will be able to demonstrate the following qualities and characteristics:

- Interested in Local Government or Public life
- Integrity and good character
- Good listener and open minded
- The ability to consider contentious matters fairly
- The ability to understand and weigh up evidence objectively.

Independent Members of the Members' Code of Conduct Committee are entitled to claim the following allowance as co-opted Members:-

Chair - £1500 per annum

Vice-Chair - £750 per annum

In addition, you may claim for reimbursement of travel expenses for attendance at Committee and Council meetings and the actual costs incurred for the care of dependent children and adults, on completion of the relevant declaration forms.

If you believe you meet the above requirements and are interested in becoming an Independent Member of the Members' Code of Conduct Committee, please apply by completing the application form.

You can also view an information pack about the role.

The closing date for applications is 5pm 9 October 2020.

For more information or an informal discussion, please contact Victoria Statham, Monitoring Officer on 01784 446241.

Personal Specification

Essential

As well as being of good character, Independent members of the Code of Conduct Committee must:

1. Bring the qualities of impartiality to any decisions which have to be made by the committee;
2. Possess the ability to take an objective approach to decision making without being swayed by popular opinions or influenced by more powerful and articulate councillors taking part in the decision making;
3. Demonstrate the ability to consider contentious matters fairly;
4. Understand and weigh up evidence objectively;
5. Be able to deal with substantial documentation and to analyse and interpret that which is important, meaningful and relevant;
6. Respect others and have respect for strong ethical values;
7. Be a good listener with an open mind;
8. Be able to constructively challenge the accepted views of others and put forward clear and logical alternatives; and
9. Possess good written and oral communication skills.

Desirable

It would be desirable for the Independent members to the Code of Conduct Committee to have:

10. Had involvement in or knowledge of public authorities or voluntary organisations;
11. Experience for working in a committee setting, research groups, investigations panels or other similar situations;
12. Experience in dealing with complaints;
13. Knowledge of the role of Councillors in a public authority; and/or
14. Knowledge of the Nolan Principles.

Terms of Reference of the Member's Code of Conduct Committee

MEMBERS' CODE OF CONDUCT COMMITTEE

(8 Councillors + 2 Independent Members)

Promoting the maintenance of high standards of conduct by councillors and any co-opted members of the Council. In addition to the broad functions of the Committee set out in Article 10 it is also delegated to undertake the following work on behalf of the Council:

- to keep an overview on the arrangements for dealing with complaints under the code of conduct, making alterations and publishing them where it considers necessary;
- to devise such further protocols and procedures as are necessary for the efficient management of complaints which have to be considered by a hearings panel;
- to consult with the Independent Person on any matters which have broad implications for the promotion of high standards by the Council;
- to make recommendations to Council on standing orders for the registration and declaration of Disclosable Pecuniary Interests and other interests; and
- to make recommendations to Council on any revisions to the Members' Code of Conduct and the registration of interests.

Hearings Panels of the Members' Code of Conduct Committee (established under the Council's published arrangements for dealing with complaints) may:

- require the Member to apologise either privately or in public;
- require the Member to attend training;
- censure the Member;
- send a report to Council to censure the Member;
- require the Monitoring Officer to publish a report in the newspaper or on the Council's website about the councillor's conduct;
- withdraw privileges provided by the Council such as computer equipment, internet or email access;
- recommend to the councillor's group leader that the councillor be removed from a Committee, a Cabinet responsibility or an outside body (as appropriate);or
- a combination of any of the above.

Code of Conduct

Spelthorne Borough Council

Code of conduct for councillors and co-opted members

General Obligations

You are a councillor or co-opted member of Spelthorne Borough Council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a councillor or co-opted member –

15. You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
16. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
17. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
18. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
19. You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.
20. You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out below.
21. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.
22. You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes

(including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

23. You must treat others with respect. This means treating people fairly and equitably and with courtesy, compassion and sensitivity. You should treat other people equally as you yourself would expect to be treated. You must never use behaviour which a reasonable person would consider as offensive, overbearing, intimidating, malicious, insulting or humiliating.
24. You must discharge your duties and conduct yourself in such a way that assists the Council to comply with its duties under the Equality Act 2010.
25. You must respect the distinct but complementary roles that councillors and staff have in their work for the Council and abide by the advice in the Member Officer Protocol.
26. You must recognise that the staff working for, or on behalf of, the Council are required to be impartial and you must not do anything which compromises that impartiality.
27. If a complaint is made under this Code of Conduct then you must not interfere with the administration or investigation of the complaint and you must not intimidate any complainant, witness or likely witness or engage with them in any way which undermines the investigation.

Registering and declaring pecuniary and non-pecuniary interests

28. You must, within 28 days of taking office as a councillor or co-opted member, notify the Monitoring Officer of any "Disclosable Pecuniary Interest" as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.
29. In addition, you must, within 28 days of taking office as a councillor or co-opted member, notify the Monitoring Officer of other Non-Pecuniary Interests which the Council has decided should be included in the register.
30. The Council has decided that it is appropriate for you to register and disclose Non-Pecuniary Interests that arise from your membership of, or your occupation of a position of general control or management in, the following bodies:
 - a. bodies to which you have been appointed or nominated by the Council;
 - b. bodies exercising functions of a public nature;
 - c. bodies directed to charitable purposes;
 - d. bodies one of whose principal purposes includes the influence of public opinion or policy.

31. If an interest (under paragraphs 14-16 above) has not been entered onto the Council's register, then the councillor or co-opted member must disclose the interest to any meeting of the authority at which they are present, where they have an interest in any matter being considered and where the matter is not a 'sensitive interest'.
32. Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.
33. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a Disclosable Pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions the Council places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by the Council. A 'sensitive interest' is described in the Localism Act 2011 where the councillor or person connected with the councillor could be subject to violence or intimidation.
34. The Members' Code of Conduct Committee publishes other guidance to assist councillors and co-opted members to meet the aspirations of this Code. You should make yourself familiar with this guidance and act accordingly:
 - a. The Planning Code
 - b. Policy on Gifts, Hospitality and Sponsorship
 - c. Conflicts of Interest Policy

Recruitment Process

- Application submission deadline 5pm October 2020
- Applications will be considered and a shortlist of candidates for interview will be produced.
- Interviews will take place. This will not involve any other tests or activities.
- Recommendation for appointments presented to full Council for decision

Application form

SPELTHORNE BOROUGH COUNCIL

APPLICATION FOR THE POST OF INDEPENDENT MEMBER

Personal Details

Name:

Address:

Home Telephone:

Work Telephone:

Mobile:

Email:

Please read the **role profile** before completing this form.

Are you currently, or have you been at any time in the past five years, a member of Spelthorne Borough Council or any other local authority?

Yes/No

If yes, please state which Council and give dates.

Are you a paid-up member of a political party?

Yes/No

If yes, please give details.

Are you currently, or have you been at any time in the past five years, employed by Spelthorne Borough Council or any other local authority?

Yes/No

If yes, please state which Council and give dates.

Are you the subject of a Bankruptcy Restrictions Order or Interim Order?

Yes/No

Do you have any convictions that remain unspent?

Yes/No

If yes, please enclose details.

Have you ever been convicted or disqualified for any corrupt electoral practices?

Yes/No

If yes, please enclose details.

Are you a relative or close friend of a Councillor or employee of Spelthorne Borough Council?

Yes/No

If yes, please give details.

QUALIFICATIONS AND WORK EXPERIENCE

Please provide brief details of any professional or academic qualifications, any work experience and/or any roles relevant to the role of an independent member?

SKILLS, KNOWLEDGE, ABILITIES AND PERSONAL QUALITIES

Please briefly explain how you feel you fulfil the role profile for this post.

Please give the names and addresses of two referees

1.

2.

Please indicate your preference for Chair or Vice-Chair

Chair/Vice Chair

I confirm that the information given in this application is correct.

Signed :

Date:

Please return this form to Gill Scott, (g.scott@spelthorne.gov.uk) Principal Committee Manager, Spelthorne Borough Council, Knowle Green, Staines-upon-Thames, TW18 1XB by [].