



# AUDIT AND GOVERNANCE COMMITTEE

14<sup>th</sup> March 2025

Wednesday, 19th March, 2025, 6.00 pm in Town Hall, Market Street, Tamworth

## SUPPLEMENT – ADDITIONAL DOCUMENTS

Further to the Agenda and Papers for the above meeting, previously circulated, please find attached the following further information, which was not available when the agenda was issued:

### Agenda No. Item

10. **Recruitment of Independent Person** (Pages 3 - 16)  
*(Report of the Monitoring Officer)*

Yours faithfully

A handwritten signature in black ink, appearing to read 'S. C. V.'.

Chief Executive

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To Councillors: C Adams, S Doyle, C Bain, M Couchman, J Oates, P Turner and  
A Wells.

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Wednesday, 19 March 2025

**Report of the Monitoring Officer**

**Recruitment of Independent Persons**

**Exempt Information**

None

**Purpose**

The purpose of this report is to seek the Audit & Governance Committee's approval for the advertisement and specification for the recruitment of an Independent Person (IP), as required under the Localism Act 2011.

**Recommendations**

1. Approve the advertisement for the Independent Person position **Appendix 1**
2. Approve the Person Spec and Independent Person Responsibilities as detailed **Appendix 1**
3. Approve the appointment period recommendation of two years, with the option to extend for a further one year, delegated to the Monitoring Officer and Chief Executive.
4. Delegate to the Monitoring Officer and Chief Executive the responsibility to commence the recruitment process and short listing of candidates.
5. Delegate to the Monitoring Officer and Chief Executive, in conjunction with 3 members of Audit & Governance Committee the responsibility for interviewing of candidates for onward recommendation to Full Council appointment.

**Executive Summary**

The Localism Act 2011 requires all local authorities to appoint at least one Independent Person. This individual's views must be sought and considered by the authority before making a decision on an allegation that is under investigation. The Independent Person's role ensures public trust in the council's ethical standards.

A person may not be recommended for appointment under the Act unless:

- i. the vacancy has been advertised in such manner as the authority considers is likely to bring it to the attention of the public and
- ii. the person has submitted an application to fill the vacancy

The main role of an Independent Person is to be available to be consulted on complaints against councillors and ethical governance issues. They provide an independent viewpoint, looking at issues from the point of view of an ordinary member of the public.

The Independent Person works closely with the Monitoring Officer considering whether complaints against councillors meet the criteria for investigation. They may be consulted before a decision is made and on the outcomes of any investigated complaint. Additionally, the IP may be consulted on other standards matters, including by the member who is subject to an allegation.

The Committee for Standards in Public Life (CSPL) report on Ethical Standards in January 2019 recommended as good practice that each authority has two Independent Persons.

Aligned to this best practice recommendation, it is therefore, recommended that two Independent Persons be appointed where possible.

It is proposed the Independent Persons will each be paid an annual allowance of £1000 (gross) and this can be met from within existing budget.

**Recruitment Process**

To ensure a fair and transparent recruitment process, it is proposed that the following steps are undertaken:

- Advertisement of the position in such manner that is likely to bring it to the attention of the public. (This may include all social media platforms and newspaper advertisement)
- Shortlisting of candidates based on the agreed specification.
- Interviews conducted by the Monitoring Officer, Chief Executive, & 3 members of Audit & Governance committee, with onward recommendations for a Full Council appointment

It is proposed that a recruitment exercise be facilitated on the indicative timescale

Advertisement (local press, social media, TBC website and other relevant job sites)	1 April 2025
Shortlisting	Last week in May
Interviews with the Monitoring Officer, Chief Executive & 3 members of Audit & Governance Committee	1 <sup>st</sup> week June 2025
Full Council Recommendation	8 July 2025

**Advertisement**

The proposed advertisement for the position, included person specification and role is available at Appendix 1

**Options Considered**

No alternatives were considered due to the legal requirement under the Localism Act 2011 for Council to appoint an Independent Person.

**Resource Implications**

There are no financial implications as a result of this report. The cost of the allowances can be met from within existing budgets. There will be some administrative resource implications from the future appointment of any IP with the processing of allowances.

**Legal/Risk Implications Background**

The Localism Act 2011 requires all local authorities to appoint at least one Independent Person to advise on ethical matters of councillor conduct, and that the Independent Persons must be appointed through a process of public advertisement, application and competitive appointment by a positive vote of the majority of all members of the Authority.

**Equalities Implications**

An EQSHIA is available at Appendix 2

**Report Author**

Nicola Hesketh – Monitoring Officer

**Appendices**

- Appendix 1 – Advertisement (including person spec and role)
- Appendix 2 - EQSHIA



## **Recruitment Information Pack**

### **Independent Person Vacancy**

Are you interested in helping the Council promote and uphold ethical standards in Tamworth Borough Council?

Are you passionate about integrity, transparency, and accountability in local government?

Tamworth Borough Council is seeking to appoint two Independent Persons (IP) to assist in maintaining the highest ethical standards in public service.

The appointment will be for three years, with the option to extend for a further 1 year.

The closing date for applications will be **12 noon on Friday 23 May 2025**, and interviews will take place the **first week of June 2025**.

#### **Introduction**

The Borough Council is responsible for deciding how to deal with standards issues at a local level, including adopting its own local Code of Conduct and determining its arrangements for dealing with complaints.

The Localism Act provides that the Council must appoint an IP to assist the Council in promoting and maintaining high standards of conduct amongst its elected members.

As an IP you will:

- Assist in investigations into alleged breaches of the Members' Code of Conduct

- Provide independent advice on councillor conduct and ethical matters
- Offer guidance and assurance to the council's governance process

This is a rewarding opportunity to play a key role in upholding democratic values and public confidence in local government.

Full details of the role and person specifications of the IP are detailed below.

A modest allowance of £1000 (gross pa) will be provided along with training and support.

### How to apply

For further details and how to apply please contact Nicola Hesketh (Monitoring Officer) [Nicola-Hesketh@tamworth.gov.uk](mailto:Nicola-Hesketh@tamworth.gov.uk).

Applicants will be asked to apply in writing submitting:

- their CV;
- together with a written statement of no more than 1000 words setting out why they would like to be considered for the appointment and how they would contribute to the raising of public standards in municipal life.
- The CV and statement should be returned to: Nicola Hesketh (Monitoring Officer) [Nicola-Hesketh@tamworth.gov.uk](mailto:Nicola-Hesketh@tamworth.gov.uk).

The initial selection will be based on the evaluation of the CV and the statement by the Monitoring Officer and Chief Executive.

The interviews for the IP will be conducted by an interview panel consisting of three members of Audit & Governance Committee, Monitoring Officer and Chief Executive, and the appointment will be made by Full Council following a recommendation by the interview panel.

### Role of the Independent Person

<b>Responsible to</b>	The Council
<b>Liaison with</b>	Monitoring Officer, members of the Standards Committee, officers and members of the Borough Council within the borough, and key stakeholders within the community.
<b>Role</b>	<p>To assist the Council in promoting high standards of conduct by elected and co-opted members of Tamworth Borough Council and in particular to uphold the Code of Conduct adopted by the Council and the seven principles of public office, namely selflessness, honesty, integrity, objectivity, accountability, openness and leadership</p> <p>To be consulted by the Council through the Monitoring Officer and/or the Standards Committee before it makes a decision on an investigated allegation and to be available to attend</p>

	meetings of the Hearing Panel of the Standards Committee for this purpose.
	To be available for consultation by the Monitoring Officer and/or the Standards Committee before a decision is taken as to whether to investigate a complaint or to seek local resolution of the same
	To be available for consultation by any elected member, who is the subject of a standards complaint.
	To develop a sound understanding of the ethical framework as it operates within Tamworth Borough Council and its town.
	To participate in training events to develop skills, knowledge and experience and in networks developed for Independent Persons operating outside the Borough Council's area.
	To attend training events organised and promoted by the Council's Standards Committee.
	To act as advocate and ambassador for the Council in promoting ethical behaviour.

### Person Specification for the Independent Person (IP)

To be eligible for appointment, a person must not be disqualified from holding office under Section 28 of the Localism Act 2011. Accordingly, any person who is recommended for appointment will be required to confirm that he/she is not disqualified.

Details of the disqualifications are set out on in Appendix B.

The IP should: -

- Be aged over 18; and
- Not be a member of any political party.

The competencies the selection panel will be looking for are set out below:

Criteria	Competency
Education and Qualifications	✓ Good general standard of education, sufficient to understand complex arrangements and issues
Experience, Knowledge and Understanding	<ul style="list-style-type: none"> <li>✓ Working knowledge/experience of local government or other public service</li> <li>✓ Awareness of and sensitivity to the political process</li> <li>✓ Knowledge and understanding of judicial/quasi-judicial or complaints processes</li> <li>✓ Awareness of the importance of ethical behaviour</li> <li>✓ Understanding of and ability to comply with confidentiality requirements</li> </ul>
Skills	✓ Literate and numerate

	<ul style="list-style-type: none"> <li>✓ Capable of analysing complex written information</li> <li>✓ Confident and effective communicator</li> <li>✓ Ability to be objective, independent and impartial</li> <li>✓ Sound decision making skills</li> <li>✓ Impartiality and integrity</li> </ul>
Personal qualities and commitment	<ul style="list-style-type: none"> <li>✓ A keen interest in standards in public life</li> <li>✓ A wish to serve the local community and uphold local democracy</li> <li>✓ Leadership qualities, particularly in respect of exercising sound judgement</li> <li>✓ Demonstrable interest in local issues</li> <li>✓ Have an awareness of the importance of ethical behaviours</li> </ul>
Other factors	<ul style="list-style-type: none"> <li>✓ The post holder may be contacted at any point during the day as part of the duties and should where possible, be available to respond.</li> </ul>

## Appendix B

### Disqualification for appointment to Independent Person - Section 28 of the Localism Act 2011

(8) For the purposes of subsection (7)—

(a) a person is not independent if the person is—

- (i) a member, co-opted member or officer of the authority,
- (ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority, or
- (iii) a relative, or close friend, of a person within sub-paragraph (i) or (ii);

(b) a person may not be appointed under the provision required by subsection (7) if at any time during the 5 years ending with the appointment the person was—

- (i) a member, co-opted member or officer of the authority, or
- (ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority;

(c) a person may not be appointed under the provision required by subsection (7) unless—

- (i) the vacancy for an independent person has been advertised in such manner as the authority considers is likely to bring it to the attention of the public,



(ii) the person has submitted an application to fill the vacancy to the authority,  
and

(iii) the person's appointment has been approved by a majority of the  
members of the authority;

(d) a person appointed under the provision required by subsection (7) does not  
cease to be independent as a result of being paid any amounts by way of allowances  
or expenses in connection with performing the duties of the appointment.

Thank you for your interest. If you have any questions about the role, please do get  
in touch.

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Tamworth Borough Council](#).

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## Equality, Social Inclusion and Health Impact Assessment (ESHIA)

An ESHIA is a review of a new or existing policy, strategy, project, report or service change to establish whether this has a differential impact on specific equality groups and identifies how we can improve equality of opportunity for different groups of people.

An ESHIA aims at improving Tamworth Borough Council’s work, by promoting equality, social inclusion, health and wellbeing by ensuring that the proposed or existing policy promotes equality and can benefit a wide range of people.

### Details

Title of the proposal	Recruitment of Independent Persons	
Director responsible for the project or service area	Stephen Gabriel - Chief Executive	
Officer completing the assessment	Nicola Hesketh - Monitoring Officer	
Date conducted	27 February 2025	
Who are the main stakeholders?		
What is being assessed?	A decision to review or change a service	
	A strategy, policy, report or procedure	x
	A function, service, or project	
What kind of assessment is it?	New	x
	Review of existing	

### Part One - Initial screening:

This section should be used to carry out an initial screening of changes or decisions to help to decide whether a full ESHIA is required.

The following six screening questions are designed to assess whether this proposed change is likely to have an impact on equality, social inclusion, health and wellbeing.

		Yes	No
1	Does this new or revised project, proposal, policy, report, procedure likely to have an impact?		x
2	Does the proposal seek agreement to a key decision involving allocation of resources, such as changes in funding or resources, initiation of a new programme or project or procurement?		x
3	Does the proposal seek agreement on restructuring or reorganising of staffing?		x
4	Will this policy or proposed change have any impact on potential suppliers?		x

5	Does this policy or proposed change impact on any HR policy or practice within the council?		x
6	Does this policy or proposed change have any implications for equalities, social inclusion and health and wellbeing not covered above?		x

1. If the answer is **no** to all the questions, please provide a summary below outlining why this conclusion has been reached.
2. If the answer is **yes** to any of the questions, please conduct the full ESHIA as detailed in Part two.

If you are unsure of any of the answers, please seek advice from Human Resources.

Summary of initial screening outcome:

The report is to request approval to start the recruitment process for independent persons. There is no impact as a direct result of this report

<b>Decision</b>	<b>Yes</b>	<b>No</b>
Initial screening only	x	
Proceed to Part Two, full assessment		x

Initial screening completed by	<b>Nicola Hesketh</b>
Date	<b>27 February 2025</b>

Full screening completed by	
Date	

## Equality, Social Inclusion and Health Impact Assessment (ESHIA)

### Part Two: Full assessment

#### Section 1

The purpose of the project, proposal or decision required. Set out the aims, objectives, purpose and outcomes of the area being impact assessed. Are any other functions, policies or services linked to this assessment?

#### Section 2

Evidence used and considered. Include analysis of any missing data.

#### Section 3

Consultation undertaken with interested parties who will/may be affected proposal? What were the outcomes of the consultation?

#### Section 4

What are the potential or actual impacts of the proposal? Please consider both the direct and indirect impact and refer to the guidance for additional information.

Impact Area	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of the impact	Action to address negative impact
<b>Protected Characteristic, as outlined in the Equality Act 2010</b>			
<b>Age</b>			
<b>Disability</b>			
<b>Gender reassignment</b>			
<b>Marriage and civil partnership</b>			
<b>Pregnancy and maternity</b>			
<b>Race</b>			
<b>Religion or Belief</b>			
<b>Sex</b>			
<b>Sexual Orientation</b>			

<b>Are there socio-economic groups likely to be affected? If yes, please provide detail below</b>			
<b>Other social exclusion</b>			
<b>Digital exclusion</b>			
<b>Veterans</b> and serving members of the armed forces and their families			
<b>Young people leaving care</b>			
<b>Health and Wellbeing:</b> Individuals and communities in Tamworth	Impact: Positive (P) Negative (N) Neutral (Ne)	Explanation	Action to address negative impact
Will the proposal have a direct impact on an individual's health, mental health and wellbeing?			
Will the proposal directly impact on housing?			
Will there be a likely change in demand for or access to public services such as health and social care services?			
Will there be an impact on diet and nutrition?			
Will there be an impact on physical activity?			
Will there be an impact on transport, travel and connectivity?			
Will there be an impact on employment and income?			

Will there be an impact on education and skills?			
Will there be an impact on community safety?			
Will there be an impact on the environment, air quality, climate change?			

If there are no adverse impacts or any issues of concern or you can adequately explain or justify them, please move to section 6.

**Section 5**

Where a potential negative impact has been identified, can continuation of the proposal be objectively justified? If yes, please explain your reasons.

**Section 6: Decisions or actions proposed**

The assessment may result in some recommendations or suggestions to mitigate any negative impact and maximise positive impacts or actions to reduce the risk of an adverse impact.

**Section 7: Monitoring arrangements**

Who will be responsible for monitoring	
Frequency of monitoring	
Where will the impact assessment be reported to?	
Where this impact assessment will be stored and for how long	

**Section 8: Summary of actions to mitigate negative impact (if required)**

Impact Area	Action required	Lead officer/responsible person	Target date	Progress

