

# Recruitment of Non-Elected, Independent Members

## Report of the Clerk

For further information about this report please contact Sue Kembrey, Clerk and Monitoring Officer to the Fire Authority, on 01952 383200 or Sharon Lloyd, Corporate Services Manager, on 01743 260210.

### 1 Purpose of Report

This report gives an update on the progress on increasing the number of non-elected, Independent Members of the Standards Committee from two to four. It also seeks agreement to the proposed recruitment process and asks the Committee to nominate which Members should sit on the recruitment panel.

### 2 Recommendations

The Standards Committee is asked:

- a) To note the progress on increasing the number of non-elected, Independent Members of the Standards Committee from two to four;
- b) To nominate, which Members should sit on the recruitment panel; and
- c) To agree the proposed recruitment process

### 3 Background

At its meeting on 29 October 2007 the Standards Committee considered the implications of the Local Government and Public Involvement in Health Act 2007 and the proposed regulations and orders, which will flow from it. Members agreed that it is necessary to increase the number of non-elected, Independent Members on the Standards Committee in order to deal effectively with the increased responsibilities, which will be placed upon the Committee as a result of the new legislation. Accordingly, Members recommended to the Fire Authority that the non-elected, independent membership of the Standards Committee be increased and recruitment commenced, with the Fire Authority setting a limit for membership, if required.



On 19 December the Fire Authority considered a report on this issue and agreed an increase in the number of non-elected, Independent Members of the Standards Committee from two to four. The Authority also gave permission for the recruitment process to commence.

## **4 Recruitment Panel**

The Committee is asked to agree which Members should sit on the recruitment panel. In the past the Panel has consisted of four interviewers: the Chair and Vice-Chair of the Fire Authority and the Chair and one other Member of the Standards Committee (one of the latter two being a non-elected, Independent Member), with the Chief Fire Officer and Clerk and Monitoring Officer acting as advisors. If the Committee were to take the same approach the panel would consist of:

- Councillor Stuart West, Chair of the Fire Authority
- Councillor Mrs Yvonne Holyoak, Vice-Chair of the Fire Authority, who is also a Member of the Standards Committee
- Mr Tebbutt, Chair of the Standards Committee, who is also a non-elected, Independent Member
- One other Member of the Committee

The Standards Committee may feel, however, that three interviewers are sufficient, given that two of the individuals named above are Members of the Committee.

## **5 Recruitment Process**

### **Advertisement**

Regulation 4 of the Relevant Authorities (Standards Committee) Regulations 2001 requires the Fire Authority to advertise in at least one newspaper distributed in the Authority's area. It is, therefore, proposed, to place an advertisement in the Shropshire Star on Thursday, 21 February. A copy of the proposed advertisement is attached at Appendix A.

### **Short Listing**

Short listing by the recruitment panel would take place as soon as possible after the closing date for applications (10 March).

### **Interviews**

Interviews would take place as soon as possible after short listing and in any event no later than 4 April to ensure that a report, recommending candidates for appointment, could be taken to the meeting of the Fire Authority on 30 April.



In the past candidates have been asked to prepare in advance, and give, a five-minute talk on their perceptions and expectations of the work of the Standards Committee. The interviewers would then ask a series of questions – see proposed list attached at Appendix B.

### **Appointment**

Following interviews, references for successful candidates will be taken up and, if satisfactory, a report will be taken to the April meeting of the Fire Authority, recommending those candidates for appointment. It is a legislative requirement that a majority of Fire Authority Members approves the appointment of non-elected, Independent Members.

## **6 Approach to Other Non-Elected, Independent Members**

It is proposed to approach existing, non-elected, Independent Members of Standards Committees of the following authorities:

- Shropshire County Council
- Borough of Telford & Wrekin
- West Mercia Police

This is permitted, provided any such individuals interested in joining the Fire Authority's Standards Committee go through the full recruitment process along with other applicants. In addition to widening the field of applicants this approach could result in the appointment of a candidate or candidates, who already has/have knowledge and experience in this field.

## **7 Financial Implications**

There will be costs incurred as a result of the recruitment exercise, e.g. for advertising, but these can be contained within existing budgets.

Once recruited the non-elected, Independent Members will be entitled to an annual allowance of £263 (this will rise by the percentage agreed by the National Joint Council with effect from 1 April 2008). Again this cost can be contained within existing budgets.

If called upon to deal locally with any issues relating to breach of the Code of Conduct, non-elected, Independent Members of the Committee will be entitled to claim for their involvement (£51 for up to 4 hours and £102 for over 4 hours, which will also rise by the percentage referred to above with effect from 1 April 2008). It is not possible, however, to predict whether there will be any such cases. To date only one allegation of breach of the Code has ever been made against the Fire Authority, which was not upheld.



## 8 Legal Comment

The Fire Authority is required to comply with the Relevant Authorities (Standards Committee) Regulations 2001, when recruiting Independent Members to its Standards Committee.

## 9 Equality Impact Assessment

Officers have considered the Service's Brigade Order on Equality Impact Assessments (Personnel 5 Part 2) and have decided that there are no discriminatory practices or differential impacts upon specific groups arising from this report. An Initial Equality Impact Assessment has not, therefore, been completed.

## 10 Appendices

### Appendix A

Proposed recruitment advertisement for non-elected, Independent Members

### Appendix B

Proposed interview questions

## 11 Background Papers

### Shropshire and Wrekin Fire Authority:

19 December 2007, Report 5 – Constitution of Standards Committee and Minutes

Standards Committee, 29 October 2007, Minutes

Implications of all of the following have been considered and, where they are significant (i.e. marked with an asterisk), the implications are detailed within the report itself.

Balanced Score Card		Integrated Risk Management Planning	
Business Continuity Planning		Legal	*
Capacity		Member Involvement	*
Civil Contingencies Act		National Framework	
Comprehensive Performance Assessment		Operational Assurance	
Efficiency Savings		Retained	
Environmental		Risk and Insurance	
Financial	*	Staff	
Fire Control/Fire Link		Strategic Planning	
Information Communications and Technology		West Midlands Regional Management Board	
Freedom of Information / Data Protection / Environmental Information		Equality Impact Assessment	*



**Shropshire and Wrekin  
Fire Authority**

fire service logo

**Appointment of Independent Member to Standards Committee**

**Are you interested in ethics and helping to maintain  
high standards of conduct in public life?  
Do you have a common sense approach to problems?  
Are you able to understand complex issues?  
Do you have the confidence to make your views heard?**

The Government has established an ethical framework for local and other public authorities throughout the country to promote and maintain high standards of conduct by Members of those authorities. A key role in this framework is played by Standards Committees, who advise on, and monitor, the operation of Codes of Conduct and help to promote high standards of conduct.

Shropshire and Wrekin Fire Authority was established on 1 April 1998 and took over responsibility for fire and rescue services in Shropshire, following local government reorganisation. The Authority has seventeen Members, who are Councillors appointed annually from Shropshire County Council and Borough of Telford & Wrekin. The Standards Committee is currently made up of three such Members and two Independent Members. As a result of legislative changes the Fire Authority has, however, decided to increase the number of Independent Members to four and is, therefore, seeking to recruit two such Members.

It is vital to the work of the Standards Committee and the public perception about its integrity that Independent Members are seen to be genuinely independent of the Authority. An Independent Member should not, therefore, be related to, or have a close relationship with, any Member or officer of the Authority, which might reasonably be seen to prejudice their independence, nor should they be, or have been, an officer or Member within the past five years. Current Members of other authorities, such as Parish, Town, Borough, District, Unitary or County Councils are also excluded.

The Standards Committee meets three times a year, although there may be additional meetings to consider complaints made about Members' conduct. Members are also expected to attend training sessions. The role currently attracts an allowance of £263 per annum plus additional allowances, should it be necessary to consider any allegations of breaches of the Fire Authority's Code of Conduct. Allowances for travel and subsistence are paid in line with rates set for other Members.

Further details and an application form can be obtained by contacting the Recruitment Helpline (24 hour answering service) on 01743 260220, quoting reference CFA/IM. The closing date for applications is 10 March 2008.

*Shropshire Fire and Rescue Service is committed to equality and fairness at work.  
We positively welcome applications from disabled people and minority groups.  
For the health and safety of our employees we operate a no smoking policy.*

**Shropshire and Wrekin Fire Authority  
Standards Committee  
Interviews for Non-Elected, Independent Members**

**Proposed Questions**

The candidate may, of course, provide the answers to some of these questions during the course of his/her presentation.

- 1 What interested you in this appointment?
- 2 What knowledge and expertise do you feel you would bring to the Standards Committee?
- 3 What are your views about standards in public life generally?
- 4 How would you approach your role on the Committee, given the key requirement of independence?
- 5 How important do you judge the requirement for Members to follow a Code of Conduct in carrying out their duties?
- 6 Members and officers are required to declare gifts and hospitality received. Do you think gifts and hospitality refused should also be declared? If so, why?
- 7 The Standards Committee will on occasions have to consider complaints against Members regarding breaches of the Code of Conduct. Do you feel you would be able to adjudicate on these in a fair and impartial way?
- 8 If allegations were levelled against you personally, as an Independent Member, what do you think would be the key issues to consider and how would you handle the situation?
- 9 Can you confirm that you are not related to, nor have a close relationship with, a Member or officer, which might reasonably be thought to prejudice your independence?
- 10 Can you confirm that you are not a Member of a County, Unitary, District, Borough or Parish Council?
- 11 Can you confirm your general availability to undertake this appointment and that you have the time to undertake the work?
- 12 Finally, is there anything you wish to add in support of your application?

It also needs to be made clear to the candidates that guidance from the Standards Board for England indicates that it is preferable that an Independent Member is not a member of any political party (although there is nothing in law which prevents it). It will, therefore, be a condition of appointment that the successful candidate is not, or will not become, a member of any political party.