

# Public Document Pack



## NOTICE OF MEETING

|                      |  |
|----------------------|--|
| <b>Meeting</b>       | Conduct Advisory Panel Selection Sub Committee |
| <b>Date and Time</b> | Friday 14 March 2025 at 11.00 am               |
| <b>Place</b>         | Mountbatten Room - HCC                         |
| <b>Enquiries to</b>  | members.services@hants.gov.uk                  |

Carolyn Williamson FCPFA  
Chief Executive  
The Castle, Winchester SO23 8UJ

## FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the County Council's website and available for repeat viewing, it may also be recorded and filmed by the press and public. Filming or recording is only permitted in the meeting room whilst the meeting is taking place so must stop when the meeting is either adjourned or closed. Filming is not permitted elsewhere in the building at any time. Please see the Filming Protocol available on the County Council's website.

## AGENDA

### 1. APOLOGIES FOR ABSENCE

To receive apologies for absence.

### 2. DECLARATIONS OF INTEREST

All Members who believe they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore all Members with a Personal interest in a matter being considered at the meeting should consider whether such interest should be declared, and having regard to Part 5, Paragraph 4 of the Code, consider whether it is appropriate to leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with the Code.

### 3. CHAIRMAN'S ANNOUNCEMENTS

To receive any announcements the Chairman may wish to make.

#### **4. DEPUTATIONS**

To receive any deputations notified under Standing Order 12.

#### **5. RECRUITMENT OF INDEPENDENT PERSONS - CANDIDATE INTERVIEWS (Pages 3 - 12)**

To consider a report from the Assistant Director for Legal Services and Monitoring Officer regarding the process for the Sub-Committee to follow when interviewing the shortlisted candidates for the role of Independent Person, to determine which candidates to recommend for appointment by the County Council.

#### **6. EXCLUSION OF PRESS AND PUBLIC**

That the press and public be excluded from the meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present, there would be disclosure to them of exempt information within Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972, being information relating to any individual which should not be disclosed for the reasons set out in the report.

#### **7. RECRUITMENT OF INDEPENDENT PERSONS - CANDIDATE INTERVIEWS - EXEMPT APPENDICES (Pages 13 - 44)**

To consider the exempt appendices to Item 5 on the agenda and to interview the shortlisted candidates.

#### **ABOUT THIS AGENDA:**

**On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.**

#### **ABOUT THIS MEETING:**

**The press and public are welcome to attend the public sessions of the meeting. If you have any particular requirements, for example if you require wheelchair access, please contact [members.services@hants.gov.uk](mailto:members.services@hants.gov.uk) for assistance.**

County Councillors attending as appointed members of this Committee or by virtue of Standing Order 18.5; or with the concurrence of the Chairman in connection with their duties as members of the Council or as a local County Councillor qualify for travelling expenses.

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

|                        |  |
|------------------------|--|
| <b>Decision Maker:</b> | Conduct Advisory Panel Selection Sub-Committee             |
| <b>Date:</b>           | 14 March 2025  |
| <b>Title:</b>          | Recruitment of Independent Persons – Candidate Interviews  |
| <b>Report From:</b>    | Assistant Director – Legal Services and Monitoring Officer |

**Contact name:** David Kelly

**Email:** David.kelly@hants.gov.uk

### Purpose of this Report

1. The purpose of this report is to propose a process for the Sub-Committee to follow when interviewing the shortlisted candidates for the role of Independent Person to determine which candidates to recommend for appointment by the County Council at its meeting on 22 May 2025.

### Recommendations

2. That the Conduct Advisory Panel Selection Sub-Committee follow the process outlined in the report to interview the shortlisted candidates for the role of Independent Person and determine which candidates to recommend for appointment by the County Council at its meeting on 22 May 2025.
3. That the Conduct Advisory Panel Selection Sub-Committee delegate authority to the Monitoring Officer, in consultation with the Chairman of the Sub-Committee, to prepare and submit a report to the County Council on behalf of the Sub-Committee recommending the appointment of the candidates selected by the Sub-Committee for the role of Independent Person.

### Executive Summary

4. There is a statutory requirement for the County Council to appoint at least one Independent Person. The terms of office of the Independent Persons currently appointed by the County Council expire on 31 July 2025. Certain legal requirements relating to the recruitment of an Independent Person must be fulfilled before an appointment may be made.
5. At its meeting on 30 January 2025, the Conduct Advisory Panel approved the commencement of a recruitment exercise to invite applications for the role of Independent Person. The Conduct Advisory Panel also appointed the Sub-Committee to act as the selection panel which will shortlist and interview

candidates for the role, and make recommendations to the County Council for appointment.

6. Further to section 28(8)(c)(i) of the Localism Act 2011, the County Council's Independent Person vacancies were advertised for the period 3 - 19 February 2025. In response to the published advert, the County Council received three applications for the role of Independent Person, all of which were received within the deadline.
7. At its meeting on 28 February 2025, the Sub-Committee considered the applications received and, having noted their eligibility for appointment as Independent Persons, determined to invite all three applicants for an interview with the Sub-Committee. The Sub-Committee must now interview the shortlisted candidates and determine which candidates to recommend for appointment by the County Council at its meeting on 22 May 2025.

### **Contextual information**

8. Pursuant to Section 28(7) of the Localism Act 2011 (the Act), the County Council is required to appoint at least one Independent Person, who must be consulted before a decision is made following an investigation into an allegation against a Member or Co-opted Member of the County Council. The Independent Person may also be consulted by the County Council in relation to an allegation prior to an investigation, and by a Member or Co-opted Member against whom an allegation has been made. The County Council's complaints handling procedure provides for consultation with the Independent Person at an early stage of the process.
9. In addition, pursuant to the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, in the case of the proposed dismissal of the Head of Paid Services, Chief Financial Officer or the Monitoring Officer, the County Council is required to appoint a Panel comprising at least two Independent Persons whose advice, views or recommendations are required to be taken into account before the dismissal of one of these Officers.
10. The Act provides that a person cannot be appointed as an Independent Person if:
  - 10.1. They are, or were within a period of five years immediately prior to the appointment, a Member, Co-opted Member or employee of the County Council; or
  - 10.2. They are a relative or close friend of a Member, Co-opted Member or employee of the County Council.
11. In accordance with the Act, approval of the appointment of an Independent Person is required to be done by full Council.

12. It is considered that three is the minimum number of Independent Persons for the system to function effectively for the County Council. This allows for unavailability and managing conflicts of interest.

### Selection Criteria

13. The published recruitment pack contained selection criteria for the role and made it clear that the means of assessment would be by application form and subsequent interview. The selection criteria are:

- 13.1. The Independent Person will have (essential criteria):

- a) a keen interest in standards in public life.
- b) a wish to serve the local community and uphold local democracy.
- c) the ability to be objective, independent and impartial.
- d) sound decision making skills.
- e) leadership qualities, particularly in respect of exercising sound judgement.

- 13.2 The Independent Person will (essential criteria):

- a) be a person in whose impartiality and integrity the public can have confidence.
- b) understand and comply with confidentiality requirements.
- c) have a demonstrable interest in local issues.
- d) have an awareness of the importance of ethical behaviours.
- e) understand and comply with data security requirements.
- f) be a good communicator.

- 13.3 The Independent Person may have (desirable criteria):

- a) a working knowledge/experience of local government or other public service and/or of large complex organisations and awareness of and sensitivity to the political process.
- b) a knowledge and understanding of judicial/quasi-judicial or complaints processes.

14. In addition, the advert identified that the successful candidate must be able to demonstrate a commitment to equality, inclusion and diversity and this is therefore an essential selection criterion. The advert also stated that applications from people based within or around Hampshire would be particularly welcome and this is therefore an additional desirable selection criterion.

### Interview and Selection Process

15. The applications submitted by the shortlisted candidates are contained in **Annex 1** (exempt from publication). It is proposed that the Chairman of the Sub-

Committee move a Motion under Part I of Schedule 12A of the Local Government Act 1972 to exclude the press and public so that the Sub-Committee can resolve to move into private session to conduct the individual interviews with the shortlisted candidates, for the reasons set out in **Annex 1** (exempt from publication). All the shortlisted candidates were offered the opportunity to attend the interview by remote means.

16. **Annex 2** (exempt from publication) contains suggested interview questions for the Sub-Committee Members to ask the shortlisted candidates.
17. It is proposed that the Sub-Committee use the scoring matrix, contained in **Annex 3**, to determine which applicants to recommend for appointment by the County Council at its meeting on 22 May 2025. The scoring matrix contains the selection criteria for the role and attributes a range of values to them depending upon whether they are essential or desirable. The numbers in brackets in the left-hand column of the scoring matrix correspond to the suggested interview questions that are considered to be particularly relevant to each selection criterion.
18. Once the Sub-Committee has determined which candidates to recommend for appointment by the County Council at its meeting on 22 May 2025, it is proposed that the Sub-Committee delegate authority to the Monitoring Officer, in consultation with the Chairman of the Sub-Committee, to prepare and submit a report to the County Council on behalf of the Sub-Committee recommending the appointment of the candidates selected by the Sub-Committee for the role of Independent Person
19. In accordance with the Sub-Committee's Terms of Reference, immediately following the meeting of the County Council at which a sufficient number of appointments are made to ensure that the County Council has at least three appointed Independent Persons, the Sub-Committee shall be dissolved.

### **Finance**

20. The County Council's Members' Allowances Scheme makes provision for an allowance in the sum of £813 per annum plus expenses.

### **Equalities**

21. The selection of candidates for appointment to the position of Independent Person of Hampshire County Council does have potential equality impacts. These are mitigated by using a transparent scoring matrix that does not have adverse equality impacts.

### **Climate Change Impact Assessment**

22. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects,

policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.

23. The carbon mitigation tool and/or climate change adaptation tool were not applicable because the decision is administrative in nature.

## **Conclusions**

24. It is recommended that the Sub-Committee follow the process outlined in the report to interview the shortlisted candidates for the role of Independent Person and determine which candidates to recommend for appointment by the County Council at its meeting on 22 May 2025.
25. Furthermore, it is recommended that the Sub-Committee delegate authority to the Monitoring Officer, in consultation with the Chairman of the Sub-Committee, to prepare and submit a report to the County Council on behalf of the Sub-Committee recommending the appointment of the candidates selected by the Sub-Committee for the role of Independent Person.

## **ANNEXES**

- Annex 1 (EXEMPT): Applications received for role of Independent Person
- Annex 2 (EXEMPT): Suggested interview questions
- Annex 3: Scoring matrix

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

**This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:**

It relates to the good governance of the County Council

**Other Significant Links**

| <b>Links to previous Member decisions:</b>  |                  |
|---|------------------|
| <u>Title</u>  | <u>Date</u>      |
| Recruitment of Independent Persons:<br><br><a href="#">Corporate report template</a>                              | 30 January 2025  |
| Recruitment of Independent Persons – Shortlisting of Candidates:<br><br><a href="#">Corporate report template</a> | 28 February 2025 |
| <b>Direct links to specific legislation or Government Directives</b>  |                  |
| <u>Title</u>  | <u>Date</u>      |
| Localism Act 2011, section 28(7):<br><a href="#">Localism Act 2011</a>  | 2011             |

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

| <u>Document</u> | <u>Location</u> |
|-----------------|-----------------|
| None            |                 |



## **EQUALITIES IMPACT ASSESSMENT:**

### **Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

### **Equalities Impact Assessment:**

The selection of candidates for interview does have potential equality impacts. These are mitigated by using a transparent scoring matrix that does not have adverse equality impacts.

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Annex 3:

SCORING MATRIX

| <b>Essential Criterion<br/>(Particularly relevant question numbers in brackets)</b> | <b>Score 1-5 if demonstrated (5 being a high degree) including any noteworthy observations</b> |
|---|--|
| Keen interest in standards in public life<br>(Q6, 8, 10)                            |  |
| Wish to serve local community/ uphold local democracy<br>(Q6(b), 13)                |  |
| Ability to be objective, independent & impartial<br>(Q1, 4, 5)                      |  |
| Sound decision making skills<br>(Q1, 5)   |  |
| Leadership qualities<br>(Q5)  |  |
| Demonstrable impartiality and integrity inspiring confidence<br>(Q5, 11)            |  |
| Understanding of/compliance with confidentiality requirements<br>(Q7)               |  |
| Demonstrable interest in local issues<br>Q6(b), 8)                                  |  |

|   |                                      |
|---|--------------------------------------|
| Awareness of importance of ethical behaviours<br>(Q6(a))  |                                      |
| Understanding of/ compliance with data security requirements<br>(Q7)  |                                      |
| Good communication skills<br>(Assessment based on responses in application form and at interview)   |                                      |
| Commitment to equality, inclusion and diversity<br>(Q3)   |                                      |
| <b>Desirable Criterion</b>  | <b>Score 1 point if demonstrated</b> |
| Working knowledge/experience of local government/public service &/or large complex organisations and awareness of and sensitivity to the political process<br>(Q12) |                                      |
| Knowledge & understanding of judicial/quasi-judicial or complaints processes<br>(Q11)   |                                      |
| Based within or around Hampshire<br>(Assessment based on response in application form)  |                                      |

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of the Local Government Act 1972.

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