



**HAMPSHIRE  
FIRE AND  
RESCUE  
AUTHORITY**

## **Standards and Governance Committee**

Purpose: Approval

Date 17 November 2020

### **Title INDEPENDENT PERSON TO HAMPSHIRE AND ISLE OF WIGHT FIRE AND RESCUE AUTHORITY**

Report of Committee Clerk

Author:

#### SUMMARY

1. The provisions of the Localism Act 2011 require that the Authority appoint an Independent Person or Persons whose view must be sought before reaching a decision following investigation of an allegation of a breach of the Code of Conduct. The current holder of this position was appointed in June 2017. The maximum period an Independent Person can be appointed for is 4 years and therefore a new appointment will be required with effect from June 2021. This report sets out proposals to take such a process forward

#### BACKGROUND

2. The Localism Act 2011 introduced a number of changes to the arena of local government "Standards". Amongst these was the creation of the position of "Independent Person" to each Authority.
3. The role of the Independent Person is to provide a view which must be taken into account before an Authority reaches a decision following investigation of an allegation of a breach of the Code of Conduct by a Member. The Independent Person is also available to give their view to a Member of the Authority about whom a complaint has been made.
4. In the Authority's Constitution, authority is delegated to the Standards and Governance Committee to oversee the recruitment process for an Independent Person, including the ability to establish a selection panel from amongst its members to interview candidates and make a recommendation to the Authority for appointment.

5. The current incumbent of the position for Hampshire Fire and Rescue Authority (Michael Cronin) was appointed in June 2017.

### CONSULTATION

6. No consultation is required for this report as it is based on historic information and is a purely factual document.

### RESOURCE IMPLICATIONS

7. In accordance with the agreement of the Full Authority, an allowance of £100 per annum is currently payable for the role of Independent Person. It is recommended that this should continue.

### LEGAL IMPLICATIONS

8. It is a legal requirement that the Authority appoint an Independent Person or Persons.

### PEOPLE IMPACT ASSESSMENT

9. There are no direct impacts on people as a result of this report.

### OPTIONS

10. As this is a legal requirement, there are no options for consideration in this report.

### RISK ANALYSIS

11. As this is a legal requirement, it is proposed that an appointment is made in case there are any allegations of breach of the Code of Conduct, whereby the involvement of an Independent Person would be necessary

### CONCLUSION

12. Following the Select Panel, the successful candidate will be approved by the Standards and Governance Committee in February 2021 and if successful, recommended for appointment at the first meeting of the Combined Hampshire and Isle of Wight Fire Authority in June 2021.

## RECOMMENDATION

13. That the process for recruitment of Independent Person is commenced, the position is advertised for appointment from June 2021 with an annual allowance of £100, and three cross party Members of the Committee are nominated to form a working group to undertake shortlisting and interviews;

14. That the working group bring a recommendation for appointment to the S&GC meeting in February 2021 for approval and recommendation to Hampshire & Isle of Wight Fire and Rescue Authority at its meeting in June 2021

## APPENDICES ATTACHED

## BACKGROUND DOCUMENTS

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.

None

Documents which disclose exempt or confidential information as defined in the Act:

None