

CHESHIRE EAST COUNCIL

STANDARDS COMMITTEE

Date of meeting: 8 July 2008
Report of: The Governance Group
Title: Recruitment of Independent and Parish Council
Standards Committee Members

1. Purpose of Report

- 1.1 To confirm the process for the recruitment of the Committee's Independent and Parish council representatives.

2. Decision Required

- (a) To recruit Independent members from the existing pool of Borough, and County Council Independent members.
- (b) To approve the job description and person specification for independent members.
- (c) To nominate and set up a panel of members of the Committee to interview and recommend to the Committee and Shadow Council Independent members.
- (d) To agree the process for recruiting Parish Council representatives.
- (e) To approve the job description and person specification for the Parish Council representatives.

3. Information

- 3.1 The Shadow Council needs to have a Standards Committee membership that complies with the Local Government Act 2000 and has regard to the guidance provided by the Standards Board for England on composition of committees.
- 3.2 The full Shadow Council set the composition of the Committee as being 5 Independent members, 3 Parish/Town Council members and 8 Cheshire East members, totalling 16 members. The Committee and any sub-committees of it which are established must be chaired by an Independent member.

4. Recruitment of Independent Members

- 4.1 The Committee has the choice at this stage of recruiting Independent members either by a public advertisement or using the existing Independent members on the three current authorities as a pool from which to recruit.

Attached to this report are a draft job description and person specification for an Independent member. It is important to recruit to these positions people of the appropriate skill set to be able to fulfil the role. This includes chairing skills and an ability to operate the quasi-judicial role of dealing with complaints.

- 4.2 The Committee may be required at any point to deal with a complaint against a Cheshire East Councillor. It is therefore important to establish a full Committee as soon as possible.
- 4.3 On past experience the process to recruit by external advertisement will take approximately 3 to 4 months, bearing in mind the holiday period in August.
- 4.4 This has the advantage of a completely new start for what is a new authority and standards committee. Its disadvantages include the time involved, the cost of advertisements and having potential independents with little or no experience. Of course, existing Independent members could still apply.
- 4.5 An alternative approach is to use the existing pool of Independent members of the four current authorities. This process will have the advantage of being quicker, cheaper and selecting members who already have an understanding of the work of a standards committee and in some cases experience of operating the standards regime.
- 4.6 This approach rules out “new blood”, but that could be addressed by looking at the length of the terms of office of any Independent member to be appointed by this route.
- 4.7 On balance, it is recommended that the position be advertised within the existing pool of Independents in the three current authorities.
- 4.8 The committee is recommended also to establish a shortlisting and interviewing panel, which can:
- (a) consider all applications;
 - (b) draw up a shortlist;
 - (c) interview those candidates on the short list; and
 - (d) recommend to this committee and the Full Shadow Council the successful applicants for the 5 positions.

5. Recruitment of Parish Council Representatives

- 5.1 The Committee needs to recruit 3 Parish Councillors to act as members of this Committee. Parish representatives must be present whenever the committee meets to discuss Parish issues.
- 5.2 Because of the nature of a standards Committee's work, in practice, Parish Council representatives act as full committee members. For instance, when the committee considers its role of promoting high standards, it is efficient to deal with both Parish and Cheshire East issues at the same time.
- 5.3 The process for recruiting Parish members could be:
 - (a) by an advertising process; or
 - (b) using the Cheshire Association of Local Councils and ask them to conduct a nomination process.
- 5.4 As with Independent members, it is desirable that there is a job description and person specification to go with this process. Drafts of each are attached for comment and approval.
- 5.5 As with the recruitment of Independent members, it is preferable to identify Parish representatives at the same time. This will enable the full committee to work together leading up to its role in respect of Parish Councils as from 1 April 2009.
- 5.6 An external advert has the same implications in terms of timescale and cost.
- 5.7 An alternative is to ask the Cheshire Association of Local Councils to either
 - (a) forward names for prospective Parish representatives; or
 - (b) nominate to the Committee and Full Shadow Council Parish representatives.
- 5.8 The Cheshire Association is an important body to work with when dealing with standards issues, and an important partner in all other aspects of Cheshire East's work.
- 5.9 Most Borough Councils currently ask the Association to conduct the process by nominating Parish representatives. As long as the job description and person specification are strong, overall this has been a successful way of recruitment.

- 5.10 The suggested terms for any Parish representative is 4 years, although again, as with Independents a longer term could be offered if that was deemed more appropriate.

- 5.11 On balance, it is recommended that the Cheshire Association be asked to nominate 3 Parish representatives.

6. Financial Implications for Transition Costs

- 6.1 The costs of recruitment will be met from within existing Council's resources.

7. Financial Implication 2009/10 and beyond

Future recruitment costs (including any external adverts) will need to be built into the committee's budgetary process.

8. Legal Implications

- 8.1 The Council is required to have at least 25% membership of this committee who are Independents and also have Parish Council representation on its Standards Committee.

9. Risk Assessment

- 9.1 The recruitment of Independent and Parish representatives will fulfil the legal requirements placed on the Shadow Council, and so manage the risk of failing to meet its legal obligations.

10. Overview of Day One, Year One and Term One Issues

- 10.1 The committee needs to be able to deal with complaints about Cheshire East Councillors during the year 2008/2009. It needs to be able to deal with complaints against Parish Councillors from 1 April 2009. Recruitment to the vacant positions will mean there is proper preparation for all Day One, Year One and Term One Issues.

For further information:

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Background Documents:

N/A