

## **Appendix 6 - Proposed Terms of Reference of Independent Persons Panel**

### **1.0 Introduction and Composition**

- 1.1 The Independent Persons Panel is an advisory committee appointed by the authority under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of the officers designated as the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer in accordance with Schedule 3 to The Local Authorities (Standing Orders) (England) Regulations 2001.
- 1.2 The Panel comprises two of the Independent Persons appointed under section 28(7) of the Localism Act 2011 (to advise on member conduct allegations) by the Council or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the Council considers appropriate.
- 1.3 The Panel will be appointed from those Independent Persons who have accepted an invitation to be considered for appointment, in accordance with the following priority order—
  - (a) an Independent Person who has been appointed by the authority and who is a local government elector in the Council's area;
  - (b) any other Independent Person who has been appointed by the authority;
  - (b) a Independent Person who has been appointed by another authority or authorities.
- 1.4 One or more reserve members will be appointed to the Panel from Independent Persons who have been appointed under section 28(7) of the Localism Act 2011 by the authority or by another authority or authorities. A reserve member will take the place of any member of the Panel who is unable to act for the duration of the Panel meeting in question, or any adjournment of it. If more than one reserve member is available for the meeting then selection will be by the alphabetical order of their surnames.
- 1.5 The appointment of a Panel Member to preside at the meeting will be the first item of business at each Independent Persons Panel meeting. Where there are equal votes cast at a meeting on any matter the Chairman may exercise a second or casting vote.
- 1.6 The quorum for a meeting shall be two members of the Panel.

### **2.0 Terms of reference**

- 2.1 To advise the Council on matters relating to the dismissal of the officers designated as the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.