

APPENDIX 4

The Standards Board for England Guidance on Standards Committee states:

“The reason for having an independent representative is to help increase public confidence and provide a clear signal that the committee is fair. The independent representative also brings a wider perspective from outside experiences. There is no limit to the number of independent representatives you can have on your standards committee.

The independent member must not be a member or employee of your council or any local authority. Your council decides how long an independent representative should sit on the committee. This should be long enough for them to gain an understanding of the committee, your council and its workings, but not so long that they lose their independence.

We recommend that there should be at least two independent representatives on your standards committee, as a single independent representative could become isolated and ineffective.

Having two independent representatives would also avoid meetings automatically becoming invalid (inquate) if the independent representative cannot attend.

Choosing an independent representative

You must choose the independent representative in a fair and open way. A person can be an independent representative only if:

- *he or she has not been a member or employee of your council within the five years before the date of appointment;*
- *he or she is not a relative or close friend of a member or employee of your council;*
- *he or she filled in an application for the position;*
- *he or she has been approved by the majority of members; and*
- *the position has been advertised in at least one newspaper distributed in your council's area.*

If you are finding it difficult to appoint an independent representative, you should review the criteria of the advertisement and make sure they are realistic. For example, you could check that you are not asking the member to put in an unrealistic amount of time.

The qualities you look for in an independent representative will depend on the area your council serves, but you may want to see that the representative:

- *is familiar with ethical dilemmas;*
- *has experience with committee work;*
- *has questioning skills;*
- *is assertive; and*
- *is independent of any political party and local government.*

An individual's membership of a political party does not automatically bar them from being an independent member of a standards committee. However, the more politically active an independent member is the less likely they will be seen as being independent. You should consider public perception before making an appointment of this sort.

You could try advertising for an independent representative in a number of places (for example, places of adult learning, libraries or places of worship). You could approach someone your council considers appropriate for the position and tell him or her about the advertisement. Remember that all the selection criteria for the position will still apply, so even if you approach someone directly, they must still make a formal application. At present, independent representatives are only entitled to allowances to cover travel and subsistence expenses and financial loss."