



**TYNE AND WEAR FIRE AND RESCUE AUTHORITY**

**Item No 4**

**FIRE AUTHORITY MEETING: 11 SEPTEMBER 2023**

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**SUBJECT: APPOINTMENT OF INDEPENDENT PERSON**

**JOINT REPORT OF THE CHIEF FIRE OFFICER/CHIEF EXECUTIVE (THE  
CLERK TO THE AUTHORITY) AND THE DEPUTY CLERK TO THE  
AUTHORITY**

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## **1 INTRODUCTION**

- 1.1 In accordance with the Localism Act 2011, the Authority is required to appoint at least one Independent Person (IP) to assist in carrying out its duties in respect of dealing with Code of Conduct complaints. The IP must be consulted before the Authority takes a decision in respect of any allegation made against an elected member which has been investigated. They may also be consulted about any other aspect of a councillor's alleged breach of the Code of Conduct for Members and may be consulted by a councillor against whom any allegation has been made.
- 1.2 The legislation does not prescribe the term of office for the IP, however it requires the position to be advertised in such manner as the Authority considers is likely to bring it to the attention of the public.
- 1.3 The Authority currently has one IP, namely Dennis Hall, who will have served for six years by the time his current term of office expires at the end of October 2023. Mr Hall was appointed following a recruitment process conducted by the Deputy Clerk, when posts at both the Fire Authority and Sunderland Council were advertised together and candidates were invited to apply for one or both posts. Mr Hall applied for both posts and was appointed by both the Fire Authority and Sunderland Council. His appointments have been extended on two previous occasions, but it is now necessary for a public advertisement to be placed again. Mr Hall may be reappointed for a further term of office, and he has indicated that he would wish to be considered for reappointment to the role. While only a very small number of complaints involving members of the Authority have been raised in recent years, and none of those have required formal assessment or investigation, nevertheless, the Authority is required to have an IP in place.



- 1.4 A report published in 2019 by the Committee on Standards in Public Life regarding Local Government Ethical Standards made a “Best Practice” recommendation that authorities should have access to at least two IPs. However, in view of the fact that it has rarely been necessary for the Authority’s IP to be consulted, it is proposed that at this time, only one appointment is made. Should it become necessary, this can be reviewed.

## **2. Recruitment Process**

- 2.1 Sunderland Council is also about to advertise for two positions of IP, and so it is suggested that a similar process is followed on this occasion to the process followed previously, namely that the Deputy Clerk advertises the roles at both the Council and the Authority at the same time and invites applicants to apply for one or both positions. The Deputy Clerk will finalise the role description and person specification and make arrangements for the role to be advertised on the North East Jobs website. Drafts of the role description and person specification are appended to this report for the Authority’s information. It is proposed that the Chief Fire Officer and Monitoring Officer will consider applications received and recommend an appointment to the Authority. It is proposed that as previously, the appointment be for an initial term of two years, and that the Authority may extend the appointment for two further two-year terms (i.e., for a period of six years in total). The Authority awards an annual allowance of £200 for the role of IP, plus reasonable travel and subsistence expenses and it is recommended that this should continue.

## **3. Interim Arrangements**

- 3.1 As the recruitment process for both the Authority and Sunderland Council may take some weeks, it is proposed that the Authority extend the current term of office of Mr Hall until the conclusion of the recruitment and appointment process.

## **4. Recommendations**

- 4.1 To approve the recruitment process for the role of Independent Person as outlined in the report,
- 4.2 Following the conclusion of the recruitment process, appoint an Independent Person for a term of two years’ duration, which may be extended by the Authority for two further two-year terms (i.e., six years in total) and award an annual allowance of £200 and reasonable travel and subsistence expenses in respect of the role.
- 4.3 Extend the current term of office of Mr Hall until the conclusion of the recruitment process and appointment of Independent Person for the new term of office



4.4 Authorise the Deputy Clerk to make all associated arrangements.

Background Papers

None

**Tyne and Wear Fire  
and Rescue Authority**

