INDEPENDENT PERSON OF STANDARDS COMMITTEE

NOTES ON ELIGIBILITY

Localism Act 2011 Section 28;

- (7)Arrangements put in place under subsection (6)(b) by a relevant authority must include provision for the appointment by the authority of at least one independent person—
- (a)whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate, and
- (b)whose views may be sought—
- (i)by the authority in relation to an allegation in circumstances not within paragraph (a),
- (ii)by a member, or co-opted member, of the authority if that person's behaviour is the subject of an allegation, and
- (iii)by a member, or co-opted member, of a parish council if that person's behaviour is the subject of an allegation and the authority is the parish council's principal authority.
- (8) For the purposes of subsection (7)—
- (a)a person is not independent if the person is—
- (i)a member, co-opted member or officer of the authority,
- (ii)a member, co-opted member or officer of a parish council of which the authority is the principal authority, or
- (iii)a relative, or close friend, of a person within sub-paragraph (i) or (ii);
- (b)a person may not be appointed under the provision required by subsection (7) if at any time during the 5 years ending with the appointment the person was—
- (i)a member, co-opted member or officer of the authority, or
- (ii) a member, co-opted member or officer of a parish council of which the authority is the principal authority;
- (c)a person may not be appointed under the provision required by subsection (7) unless—
- (i)the vacancy for an independent person has been advertised in such manner as the authority considers is likely to bring it to the attention of the public,
- (ii) the person has submitted an application to fill the vacancy to the authority, and
- (iii)the person's appointment has been approved by a majority of the members of the authority;
- (d)a person appointed under the provision required by subsection (7) does not cease to be independent as a result of being paid any amounts by way of allowances or expenses in connection with performing the duties of the appointment.

Please note that if you are now or have been an Officer, Member, Co-Opted Member or Independent Member of either a Parish or Town Council within the Borough of Broxtowe or of the Borough Council in the last 5 years, you are disqualified from being an Independent Person.

<u>Principal authority refers to the District, Borough or County Councils within Nottinghamshire, not Parish</u> or Town Councils