
RECRUITMENT PACK FOR A MEMBER OF THE EASTLEIGH BOROUGH COUNCIL STATUTORY INDEPENDENT REMUNERATION PANEL 2021



Contents

Making an application	4
About our Council	5
Our Political make-up	5
The role of the Independent Remuneration Panel	5
What exactly is the Panel's job?	6
How many people will be appointed to the Panel?	6
What qualifications, skills and experience are required to be a member of the Panel?	7
What might disqualify me from being a Panel member?	9
What support would be provided to members of the Panel?	9
How often will the Panel have to meet and when and where will meetings be held?	9
Will I be able to claim expenses?	9
How to find out more	9
Disqualification for being a member of the statutory Independent Remuneration Panel	10

DEAR APPLICANT

Application to serve as a Member of the Eastleigh Borough Council Statutory Independent Remuneration Panel.

Thank you for your recent enquiry about becoming a Member of the Independent Remuneration Panel. I am very pleased that you have expressed an interest in the position as we are looking to recruit a new Panel of independent members.

The appointment process is as follows: -

17 September 2021	Advertisement of Panel member applications
4 October 2021	Closing date for applications
8 October 2021	Selection process and notification to candidates
18 October 2021	Interviews
22 October 2021	Confirmation of panel membership

You must return the completed application form by close of business on **4 October 2021**, either by post (at the address shown below) or e-mail laura.johnston@eastleigh.gov.uk

Laura Johnston
Democratic Services Manager
Eastleigh Borough Council
Eastleigh House
Upper Market Street
Eastleigh
Hampshire
SO50 9YN

Your application will then be considered and a shortlist of candidates for interview will be produced. You will be notified if you have been shortlisted and invited for interview. **The interviews will take place on 18 October 2021 via Microsoft Teams.**

The interview process will not involve any other tests or activities. If you want to know anything more about the process, **please contact Joanne Cassar 023 8068 8015 or Laura Johnston 023 8068 8041/07876 217751**

Making an application

We want to ensure that every applicant is treated fairly. In making recruitment decisions we will not consider previous applications or our personal knowledge of you (if applicable).

The information that you supply us in your application must include all of the information requested. This is all we will use in deciding whether or not you will be shortlisted for the selection process.

It is therefore very important and the following advice is designed to help you complete it as effectively as possible.

The Person Specification (page 7) for the role outlines the skills, experience and aptitudes we are looking for. Wherever possible, please relate your own skills and experiences back to these requirements, giving specific examples of how you can demonstrate competence in these areas.

Please indicate why you are the right person for this role – remember to demonstrate why you are suitable

against each of the points described in the Person Specification. This might be through qualifications or descriptive examples from your work/personal experience, (which clearly illustrates what you did and the effect it had).

We will shortlist for interview based on the information you provide; failure to include any of the requested information is likely to result in you not being shortlisted. Therefore, it is important that you indicate why you cannot meet any of the criteria, e.g. No work history, as I have never worked before.

Please also complete the equality and diversity monitoring form so that we are able to monitor the effectiveness of our equality and diversity policies and to enable us to ensure that our recruitment processes are working for all sections of the community.

We will not accept CVs.

About our Council

At Eastleigh we are very proud of what we have achieved in recent years. As a medium-sized district council with a £65m turnover, big ambitions and strong and stable political leadership, we have delivered a range of major projects and initiatives ensuring we continue to be progressive and innovative in our approach. We are responsible for delivering a large number of services for our customers including planning, waste and recycling collections, environmental health, housing, elections, council tax and benefits to name but a few.

Our Political make-up

Eastleigh Borough Council comprises 39 councillors representing 14 Wards, who are elected to determine the policies and priorities of a large and complex public body. The Borough also has 10 Parish Councils.

The breakdown of Councillors across political parties is currently as follows:

- Liberal Democrat Group – 32
- Independent Group – 5
- Conservative Group – 2

Eastleigh Borough Council is controlled by the majority - the Liberal Democrat Group.

The Council has adopted what is called the Leader and Executive model. This means that the Leader of the Council is elected by Full Council for a 4-year term. The Leader has responsibility

to appoint an Executive or Cabinet and it is currently made up of seven Councillors. The Cabinet is responsible for implementing the budget and policy framework approved by the Council and must consider and make decisions on any matter of importance that affects more than one of the Cabinet portfolios.

Councillors undertake a wide range of roles and receive financial allowances in accordance with a Members' Allowances Scheme which sets out the payments to be made for each role.

All Members of the Council receive a basic allowance that is intended to recognise the time commitment of Members, including such inevitable calls on their time as meetings with officers and constituents. Some Members are also paid a special responsibility allowance (SRA) to recognise significant additional responsibilities. SRAs are paid, for example, to Members of the Cabinet and Chairs of Committees. Expenses are also paid to offset the cost of travelling to meetings.

The role of the Independent Remuneration Panel

In accordance with relevant legislative requirements, the Council has established a statutory Independent Remuneration Panel.

This Independent Remuneration Panel provides the Council with advice on its Members' Allowances Scheme and the nature and level of allowances to be paid. The Council must have regard to this

advice when reviewing or amending its scheme. No amendments can be made to a Council's allowances scheme without consideration by the Independent Remuneration Panel.

The last review of the scheme took place in the Autumn of 2017. The outcome of that review was reported to the Council's Administration Committee on 25 June 2018. There is now an opportunity for new members to join the Panel.

The Panel will initially meet to undertake its four-yearly review on the 2 and 3 November via Microsoft Teams. The Panel is appointed for four years but should only be required to meet again should there be significant changes to the Council political management structure or if new councillor roles are created that have Special Responsibilities that may require an allowance.

A copy of the current Members' Allowances Scheme is available at www.Eastleigh.gov.uk

What exactly is the Panel's job?

The statutory Independent Remuneration Panel's role is to make recommendations to the Council:

- as to the amount of basic allowance that should be payable to its elected members;

- about the roles and responsibilities for which a special responsibility allowance should be payable and as to the amount of each such allowance;
- as to whether the Council's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependants and, if such a recommendation is made, the amount of this allowance and the means by which it is determined;
- on other allowances (i.e. travel and subsistence allowance and allowances for attendance at certain meetings and conferences).

How many people will be appointed to the Panel?

The Panel must have at least three members. All panel members should be truly independent, qualified to undertake the functions of the panel and representative of the diverse communities of Eastleigh.

The Council has decided to set up a panel of members to serve for a four-year period (unless extended). We are currently seeking to appoint members.

What qualifications, skills and experience are required to be a member of the Panel?

As well as being a resident of Eastleigh, or someone with very close links to the area, some of the key skills which are considered important to carry out the work of the Panel are set out below. This includes the ability to:

- read and assess information and identify key points/issues
- listen to and assess information and identify key points and issues
- ask questions in order to obtain information and open up discussion
- analyse information and use it to form opinions and conclusions
- work as part of a team
- communicate effectively with a wide range of people

It would be helpful (but not essential) if you have an understanding of

- local government
- the functions of/and how the Council works
- the roles of councillors
- the regulations and guidance which apply to members' allowances

The Council will provide some training in order to help you to develop the skills required and the Panel receives comprehensive support and advice from Council Officers. More important, Panel Members should be able to approach issues with an open mind and ask relevant questions.

A fuller list of the personal attributes required is set out in the Person Specification on the next page.

FACTOR	ESSENTIAL OR DESIRABLE	MEANS OF ASSESSMENT	Environment
Knowledge and experience			
1	Knowledge of local government procedures, policies and practices	D	Application and interview
2	Some knowledge of Member activities & remuneration, knowledge of personnel/staff matters	D	Application and interview
3	Lives in Eastleigh or has strong links to the area	E	Application and interview
Qualifications			
4	A good standard of education, sufficient to understand reports and numerical information that might be complex	E	Application and interview
Skills			
5	Must be literate and numerate, sufficient to read reports and understand numerical information that might be complex	E	Application and interview
6	Effective and confident written and verbal communication skills	E	Application and interview
7	Ability to contribute to, and work effectively with, other members of the Panel	E	Application and interview
8	Capability of analysing moderately complex information, identify key issues, weigh up evidence and reach informed conclusions	E	Application and interview
9	Effective listening and questioning skills to identify key points and open up discussion	E	Application and interview
Personal attributes			
10	Understanding of the importance of being seen to be working independently of the Council	E	Application and interview
11	Ability to deal tactfully and sensitively with a variety of people	E	Interview
12	Maintains high ethical standards, acts with integrity, respects confidentiality, takes responsibility for own actions	E	Application and interview
13	Impartial and non-political in approach	E	Application and interview
14	Commitment to the needs of the local community	E	Application and interview
15	Committed to undertaking background work in preparation for meetings	E	Interview

What might disqualify me from being a Panel member?

The list of disqualifications is quite long and is attached to this document. You should read all of it before you submit your application. However, in summary there are some things that would disqualify you from becoming a Panel member: If you...

- are an elected member of Eastleigh Borough Council or any of its Parish Councils
- are an employee of Eastleigh Borough Council
- are an adjudged bankrupt
- have been convicted in the last 5 years for an offence with a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine

You will be required to declare that you are not associated with any political party or related to or a personal friend of any elected member of Eastleigh Borough Council. Any member of the Panel found guilty of a criminal offence would be removed from their role.

What support would be provided to members of the Panel?

The Council will provide administrative support and technical advice to the Panel. You will be briefed on the current members' allowances scheme and be able to ask for information and research to be provided to assist you in reaching conclusions and making

recommendations on the type and level of allowances payable to councillors in the future. You will also be encouraged to invite evidence from serving councillors.

How often will the Panel have to meet and when and where will meetings be held?

It is expected that the Panel will be required to meet for an initial two days on 2 and 3 November 2021 via Microsoft Teams and then if/when required. Sufficient notification will be given of any Panel meetings required.

Will I be able to claim expenses?

The council has agreed that Panel members should be entitled to an allowance of **£200** for a Panel review. You would also be able to claim reasonable travel and subsistence costs in line with the rates payable to staff.

How to find out more

If you would like more information or an informal discussion about the Independent Remuneration Panel please contact Joanne Cassar, on 02380 688015 (or email joanne.cassar@eastleigh.gov.uk) or Laura Johnston (laura.johnston@eastleigh.gov.uk) 023 8068 8041

Disqualification for being a member of the statutory Independent Remuneration Panel

The definition of "local authority" includes parish councils.

Local Government Act 1972

80. Disqualifications for election and holding office as member of a local authority.

(1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he –

(a) holds any paid office or employment (other than the office of chairman, vice-chairman or deputy chairman or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments or elections to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding any such office or employment; or

(b) is the subject of a bankruptcy restrictions order or interim order; or

(c) [This has been removed and no longer applies]

(d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or

(e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983 or under the Audit Commission Act 1998.

(2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of –

(a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or

(b) a joint board, joint authority, economic prosperity board, combined authority, joint waste authority or joint committee on which the authority are represented and any member of which is so appointed; shall be disqualified for being elected or being a member of that other local authority.

(2AA) A paid member of staff of the Greater London Authority who is employed under the direction of a joint committee the membership of which includes –

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- (a) one or more persons appointed on the nomination of the Authority acting by the Mayor, and
 - (b) one or more members of one or more London borough councils appointed to the committee on the nomination of those councils, shall be disqualified for being elected or being a member of any of those London borough councils.
- (2A)** Subsection (2) above shall have effect as if the reference to a joint board included a reference to a National Park authority.
- (2B)** For the purposes of this section a local authority shall be treated as represented on a National Park authority if it is entitled to make any appointment of a local authority member of the National Park authority.
- (3)** Subsection (1)(a) shall have effect in relation to a teacher in a school maintained by the local authority who does not hold an employment falling within that provision as it has effect in relation to a teacher in such a school who holds such an employment.
- (5)** For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.
- 81.** Exception to provisions of section 80
- (4)** Section 80(2) and (3) above shall not operate so to disqualify –
- (a)** any person by reason of his being a teacher, or otherwise employed, in a school or other educational institution maintained or assisted by a county council for being a member of a district council by reason that the district council nominates members of the education committee of the county council

Local Government Act 2000

Persons disqualified by eligible tribunals. The following is the legislation that describes how persons disqualified by certain tribunals are disqualified from standing in local government elections.

- 78.** Decisions of the First-tier Tribunal or interim case tribunals
- (1)** In adjudicating on any of the matters which are the subject of an interim report, the First-tier Tribunal or an interim case tribunal must reach one of the following decisions—

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- (a)** that the person to whom the recommendation mentioned in section 65(3) or 72(3) relates should not be suspended or partially suspended from being a member or co-opted member of the relevant authority concerned,
 - (b)** that person should be suspended or partially suspended from being a member or co-opted member of the relevant authority concerned for a period which does not exceed six months or (if shorter) the remainder of the person's term of office.
 - (2)** If the decision of the tribunal concerned is as mentioned in subsection (1)(a), the tribunal must give notice of its decision to the standards committee of the relevant authority concerned.
 - (3)** If the decision of the tribunal concerned is as mentioned in subsection (1)(b), the tribunal must give notice to the standards committee of the relevant authority concerned stating that the person concerned is suspended or partially suspended for the period, and in the way, that the tribunal has decided.
 - (3A)** The effect of a notice given under subsection (3) is to suspend or partially suspend the person concerned as mentioned in subsection (3).
 - (4)** A decision of the First-tier Tribunal under this section shall not prevent an ethical 11 standards officer from continuing with the investigation under section 59 which gave rise to the interim report concerned and producing a report under section 64, or a further interim report under section 65, in respect of any matters which are the subject of the investigation.
 - (5)** A decision of an interim case tribunal under this section shall not prevent the Public Services Ombudsman for Wales from continuing with the investigation under section 69 which gave rise to the interim report concerned and producing a report under section 71, or a further interim report under section 72, in respect of any matters which are the subject of the investigation.
 - (6)** The suspension or partial suspension of any person under this section shall not extend beyond the day on which a notice is given by virtue of section 78A or 79 to the standards committee of the relevant authority concerned with respect to that person.
 - (7)** A copy of any notice under this section must be given—
 - (a)** to any person who is the subject of the notice, and
 - (b)** to the monitoring officer of the relevant authority concerned.
 - (8)** Where the person concerned is no longer a member or co-opted member of the relevant authority concerned, but is a member or co-opted member of another relevant authority—

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- (a)** the references in subsection (1) to the relevant authority concerned are to be treated as references to that other authority,
 - (b)** the references in subsections (2) and (7)(b) to the relevant authority concerned are to be treated as including a reference to that other relevant authority,
 - (c)** the duty under subsection (3) to give notice to the standards committee of the relevant authority concerned is to be treated as a duty—
 - (i)** to give that notice to the standards committee of that other relevant authority, and
 - (ii)** to give a copy of that notice to the standards committee of the relevant authority concerned.
- (8A)** Subsection (8) does not apply unless—
- (a)** where the relevant authority concerned is in England, the other relevant authority is also in England,
 - (b)** where the relevant authority concerned is in Wales, the other relevant authority is also in Wales.
- (9)** The First-tier Tribunal or (as the case may be) an interim case tribunal must take reasonable steps to inform any person who made any allegation which gave rise to the investigation under section 59 or 69 of its decision under this section.
- (9A)** Where a person is suspended or partially suspended under this section by a decision of the First-tier Tribunal, the person may appeal to the Upper Tribunal—
- (a)** against the suspension or partial suspension; or
 - (b)** against the length of the suspension or partial suspension, (unless the decision is set aside under section 9 of the Tribunals, Courts and Enforcement Act 2007).
- (9B)** An appeal may not be brought under subsection (9A) on a point of law (as to which see instead section 11 of the Tribunals, Courts and Enforcement Act 2007).
- (9C)** An appeal may be brought under subsection (9A) only if, on an application made by the person concerned, the First-tier Tribunal or Upper Tribunal has given its permission for the appeal to be brought.
- (9D)** In any case where the Upper Tribunal is determining an appeal under subsection (9A), section 12(2) to (4) of the Tribunals, Courts and Enforcement Act 2007 (proceedings on appeal to the Upper Tribunal) apply.

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- (10)** Where a person is suspended or partially suspended under this section by a decision of an interim case tribunal, the person may appeal to the High Court—
- (a)** against the suspension or partial suspension, or
 - (b)** against the length of the suspension or partial suspension.
- (11)** An appeal may not be brought under subsection (10) except with the leave of the High Court.

78A. Decisions of First-tier Tribunal

- [(1)** Deleted.]
- (2)** Where the First-tier Tribunal adjudicates on any matter under this Act, it must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.
- (3)** Where the tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.
- (4)** Where the tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it may—
- (a)** Take in respect of him any action authorised by regulations made by the Secretary of State for the purposes of this subsection, or
 - (b)** decide to take no action against him.
- (5)** Regulations made under subsection (4) may in particular—
- (a)** enable the tribunal to censure the person,
 - (b)** enable it to suspend, or partially suspend, the person from being a member or co-opted member of the relevant authority concerned for a limited period,
 - (c)** enable it to disqualify the person, for a period not exceeding five years, for being or becoming (whether by election or otherwise) a member of that or any other relevant authority.
- (6)** The reference in subsection (5)(b) to the relevant authority concerned is to be read, in relation to a person who is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in England, as a reference to that other relevant authority.
- (7)** Regulations made by the Secretary of State may require the First-tier Tribunal to give a notice to the standards committee of the relevant authority concerned

where it decides that a person has failed to comply with the code of conduct of that authority and—

- (a) decides to suspend or partially suspend the person,
 - (b) decides to disqualify the person,
 - (c) decides to take action against the person other than suspension, partial suspension or disqualification, or
 - (d) decides to take no action against him.
- (8) Regulations under subsection (7) may—
- (a) prescribe the content of any notice,
 - (b) provide for the effect that any notice is to have,
 - (c) provide for provisions of the regulations to have effect with prescribed modifications where the person concerned is no longer a member or co-opted member of the relevant authority concerned, but is a member or co-opted member of another relevant authority in England

78B. Section 78A: supplementary

- (1) A copy of any notice given under section 78A(3) or under regulations made under section 78A(7)—
- (a) must be given to the Standards Board for England,
 - (b) must be given to any person who is the subject of the decision to which the notice relates, and
 - (c) must be published in one or more newspapers circulating in the area of the relevant authority concerned.
- (2) Where the person concerned is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in England, the following references to the relevant authority concerned are to be treated as including references to that other relevant authority—
- (a) the second reference in section 78A(3);
 - (b) the reference in subsection (1)(c) above.
- (3) Where the First-tier Tribunal adjudicates on any matter under this Act, it must take reasonable steps to give notice of its decision to any person who made any allegation which gave rise to the adjudication.

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- (4) Where the First-tier Tribunal decides under section 78A that a person has failed to comply with the code of conduct of the relevant authority concerned, that person may appeal to the Upper Tribunal against that decision, or any other decision made by the tribunal by virtue of section 78A which relates to him (unless the decision is set aside under section 9 of the Tribunals, Courts and Enforcement Act 2007).
 - (5) An appeal may not be brought under subsection (4) on a point of law (as to which see instead section 11 of the Tribunals, Courts and Enforcement Act 2007).
 - (6) An appeal may be brought under subsection (4) only if, on an application made by the person concerned, the First-tier Tribunal or Upper Tribunal has given its permission for the appeal to be brought.
 - (7) In any case where the Upper Tribunal is determining an appeal under subsection (4), section 12(2) to (4) of the Tribunals, Courts and Enforcement Act 2007 (proceedings on appeal to the Upper Tribunal) apply.

79. Decisions of case tribunals: Wales

- (A1) In this section “Welsh case tribunal” means a case tribunal drawn from the Adjudication Panel for Wales.
 - (1) A Welsh case tribunal which adjudicates on any matter must decide whether or not any person to which that matter relates has failed to comply with the code of conduct of the relevant authority concerned.
 - (2) Where a Welsh case tribunal decides that a person has not failed to comply with the code of conduct of the relevant authority concerned, it must give notice to that effect to the standards committee of the relevant authority concerned.
 - (3) Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned, it must decide whether the nature of the failure is such that the person should be suspended or disqualified in accordance with subsection (4).
 - (4) A person may be—
 - (a) suspended or partially suspended from being a member or co-opted member of the relevant authority concerned, or
 - (b) disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority.
 - (5) Where a Welsh case tribunal makes such a decision as is mentioned in subsection (4)(a), it must decide the period for which the person should be suspended or partially suspended (which must not exceed one year or, if shorter, the remainder of the person’s term of office).

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- (6)** Where a Welsh case tribunal makes such a decision as is mentioned in subsection (4)(b), it must decide the period for which the person should be disqualified (which must not exceed five years).
- (7)** Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned but should not be suspended or disqualified as mentioned in subsection (4), it must give notice to the standards committee of the relevant authority concerned—
- (a)** stating that the person has failed to comply with that code of conduct, and
 - (b)** specifying the details of that failure.
- (8)** Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be suspended or partially suspended as mentioned in subsection (4)(a), it must give notice to the standards committee of the relevant authority concerned—
- (a)** stating that the person has failed to comply with that code of conduct,
 - (b)** specifying the details of that failure, and
 - (c)** stating that the person is suspended or partially suspended for the period, and in the way, which the tribunal has decided.
- (9)** The effect of a notice given to the standards committee of a relevant authority under subsection (8) is to suspend or partially suspend the person concerned as mentioned in subsection (8)(c).
- (10)** Where a Welsh case tribunal decides that a person has failed to comply with the code of conduct of the relevant authority concerned and should be disqualified as mentioned in subsection (4)(b), it must give notice to the standards committee of the relevant authority concerned—
- (a)** stating that the person has failed to comply with that code of conduct,
 - (b)** specifying the details of that failure, and
 - (c)** stating that the person is disqualified for being, or becoming (whether by election or otherwise), a member of that or any other relevant authority for the period which the tribunal has decided.
- (11)** The effect of a notice given to the standards committee of a relevant authority under subsection (10) is to disqualify the person concerned as mentioned in subsection (10)(c).

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- (12)** A copy of any notice under this section—
- (a)** must be given to the Public Services Ombudsman for Wales,
 - (b)** must be given to any person who is the subject of the decision to which the notice relates, and
 - (c)** must be published in one or more newspapers circulating in the area of the relevant authority concerned.
- (13)** Where the person concerned is no longer a member or co-opted member of the relevant authority concerned but is a member or co-opted member of another relevant authority in Wales—
- (a)** a copy of any notice under subsection (2), (7) or (10) must also be given to the standards committee of that other relevant authority,
 - (b)** the reference in subsection (4)(a) to the relevant authority concerned is to be treated as a reference to that other relevant authority,
 - (c)** the duty to give notice to the standards committee of the relevant authority concerned under subsection (8) is to be treated as a duty—
 - (i)** to give that notice to the standards committee of that other relevant authority, and
 - (ii)** to give a copy of that notice to the standards committee of the relevant authority concerned,
 - (d)** the reference in subsection (12)(c) to the relevant authority concerned is to be treated as including a reference to that other relevant authority.
- (14)** A Welsh case tribunal must take reasonable steps to inform any person who made any allegation which gave rise to the adjudication of the decision of the Welsh case tribunal under this section.
- (15)** Where a Welsh case tribunal decides under this section that a person has failed to comply with the code of conduct of the relevant authority concerned, that person may appeal to the High Court against that decision, or any other decision under this section which relates to him.
- (16)** An appeal may not be brought under subsection (15) except with the leave of the High Court.