

Monday 24 January 2011
at 6.00pm



Standards Committee

MEMBERS: Mr J VESELY (Independent Representative and Chairman), Mr T ELLIOTT, Mr A MEIER (Independent Representative), Councillors Mrs GOODALL, Mrs HOWLETT, TAYLOR, TESTER and Miss WOODALL.

(An apology for absence was reported from Councillor Goodwin).

15 Mr A Meier.

The Chairman welcomed Mr Meier to his first meeting of the Standards Committee.

16 Minutes.

The minutes of the meeting held on 18 October 2010 were submitted and approved and the Chairman was authorised to sign them as a correct record.

17 Declarations of Interest.

None were received.

18 The Future of the Ethical Framework Regime for Local Government.

The Committee considered the report of the Monitoring Officer regarding recent developments relating to the standards regime.

The Chair of Standards for England had written to local Standards Committees following correspondence from the Local Government Minister which detailed the Government proposals for the future of standards. Copies of both letters were appended to the report. The Committee also considered a paper from the Policy and Development Officer at the Association of Council Secretaries and Solicitors (ACSeS) on the possible direction for a future ethical framework.

The Decentralisation and Localism Bill had been introduced in December and in addition to the abolition of Standards for England, it contained provisions revoking the requirement for councils to adopt a model code of conduct and to have a standards committee.

The existing duty of authorities to maintain and promote high standards of conduct remained in place but it would be for councils to decide the framework, with the option to adopt their own code of conduct and establish a standards committee. An authority must still consider whether it is appropriate to investigate any allegations and if so how it will be conducted. It was noted that any future standards committee would have reduced

powers of sanction in that it was proposed that the ability to suspend or disqualify members from council membership would be removed.

The draft Bill would require Members to continue to register and declare interests and the requirements in this regard would be specified by legislation. The new regime is to include provisions that failure to comply with the requirements to register or disclose a specified interest without reasonable excuse would be a criminal offence which may be prosecuted.

It was anticipated that the Bill would receive Royal Assent in late 2011 and the government had advised of transitional arrangements which would enable complaints to be determined under the current framework until a fixed date around two months after the Bill receives Assent.

The Committee discussed the changes and there was member consensus regarding the importance of maintaining the standards function and it was considered that this was best achieved by retaining a Standards Committee and continuing to require members to abide by a code of conduct. It was noted that the ACSeS had indicated that they would be looking to produce a model code and model arrangements and procedures. The Committee agreed that the role of the Independent Members should be retained to ensure that confidence in any revised framework was maintained.

The Committee noted that whilst the number of complaints against members remained low a mechanism was still required to investigate allegations of misconduct in the future. The opportunity to streamline the process under the new arrangements was welcomed.

The Committee agreed that all Members should be invited to consider and discuss the future arrangements for standards prior to the May elections.

RESOLVED: (1) That the report be noted.

(2) That a training session on the future of the ethical framework be arranged for all Members of the Council.

19 Monitoring Complaints of Member Misconduct.

The Committee considered the report of the Monitoring Officer regarding alleged breaches of the Members' Code of Conduct.

No complaints had been received in the fourth quarter of 2010. All outstanding complaints previously notified had been concluded.

RESOLVED: That the report be noted.

The meeting closed at 6.40 pm.

**J Vesely
Chairman**

