

Subject: Annual Report - Standards

Status: For Publication

Report to: Council

Date: 23rd March 2010

Report of: Director of Business

Portfolio

Holder: Finance and Resources

Key Decision: No

Forward Plan

General Exception

Special Urgency

1. PURPOSE OF REPORT

1.1 To inform Council of the work of the Standards Committee for the Municipal Year 2010/2011.

2. CORPORATE PRIORITIES

2.1 The matters discussed in this report impact directly on the following corporate priorities:

Responsive and value for money local services – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

3. RISK ASSESSMENT IMPLICATIONS

3.1 There are no specific risk issues for members to consider arising from this report.

4. BACKGROUND AND OPTIONS

4.1 The Annual Report informs Council of the work undertaken by the Standards Committee throughout the municipal year in relation to the role of the committee. The main role of the Standards Committee is to:

- Promote and maintain high standards of conduct.
- Advise the Council on the adoption or revision of its Code of Conduct.
- To monitor and advise the Council about the operation of its Code of Conduct in light of best practice, changes in the law and guidance from the Standards Board.
- To enable all members of the Council/Town Council to have access to training actively promoted in all aspects of the relevant Code of Conduct,

and to ensure that members are aware of the standards expected of them under the Code.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

5.1 There are no material financial implications.

6. MONITORING OFFICER

6.1 No comments.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 No Human Resources implications.

8. CONCLUSION

8.1 The Standards Committee plays an important role in promoting and maintaining high standards of conduct within the Council.

9. RECOMMENDATION(S)

9.1 That Council note the Annual Report and work of the Standards Committee for the municipal year 2010/2011.

10. CONSULTATION CARRIED OUT

10.1 Director of Business, Chair of the Standards Committee, Head of Legal and Democratic Services.

11. COMMUNITY IMPACT ASSESSMENT

Is a Community Impact Assessment required No
Is a Community Impact Assessment attached No

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No
Is a Biodiversity Impact Assessment attached No

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ANNUAL REPORT OF THE STANDARDS COMMITTEE 2010/11

1. INTRODUCTION

- 1.1 June 2010 saw the election of a new Chair of the Standards Committee, Mrs Irene Divine. Mr Andrew Neville was elected as Vice Chair and the committee welcomed Mr Keith Pilkington as a new independent member. Councillor David Barnes and Councillor Grogan continued in their roles as Town Council representatives
- 1.2 The work of the Standards Committee has been challenging this year following the announcement of the abolition of Standards for England. Nonetheless, the committee has followed a 'business as usual' approach and will continue to do so.

2. ABOLITION OF STANDARDS FOR ENGLAND

- 2.1 The Government has proposed to abolish Standards for England via the Localism Bill and it is anticipated that the Bill will receive Royal Assent in late 2011. The abolition of Standards for England will mean that the Code of Conduct for councillors will no longer exist and the requirement for local authorities to have Standards Committees will be abolished.
- 2.2 It is anticipated that Standards for England will cease to investigate complaints in late 2011 and will be formally abolished in early 2012.

3. THE FUTURE OF THE STANDARDS COMMITTEE

- 3.1 A report was taken to the Standards Committee in January 2011. The report stated that in view of the abolition of Standards for England, local authorities will be free to adopt their own voluntary Code of Conduct and establish voluntary Standards Committees to consider complaints about the conduct of elected and co-opted members. These committees would be able to censure but not be able to suspend or disqualify members from council membership. The issue of a voluntary Code of Conduct is still under consideration.
- 3.2 Members will still be required to continue to register and declare personal interests and will not be allowed to use their position improperly for personal gain. The Government intends that wilful failure to comply with these requirements will constitute a criminal offence and will be dealt with through the justice system. The Crown Prosecution Service would prosecute any offences of failure to declare an interest (accordingly the police would investigate).
- 3.3 The report asked for members' approval to adopt a voluntary Code of Conduct and to establish a Standards Committee, with the power to investigate complaints against elected members. The committee would have the power to censure elected members or to refer elected members for further training with the Monitoring Officer or other Senior Officer/s as appropriate.
- 3.4 The committee did not agree to the resolution and, instead, resolved that it be clarified if there is a planned timetable for consultation regarding green and/or white papers for Standards Committee matters with the Department of Communities and Local

Government. A response group is in the process of being established to provide a response to the Department of Communities and Local Government, taking in the views of all members of the Standards Committee, regardless of whether an official consultation process is carried out.

- 3.5 Finally the committee resolved that any decision on the future of the Standards Committee at Rossendale Borough Council should be deferred pending further information from central government regarding legislative changes. Until this information is clear, the Standards Committee will continue in its present form.

4. COMPLAINTS UPDATE

- 4.1 During the 2010/11 year, the Standards Committee has dealt with 2 complaints. 1 of these resulted in a hearing.
- 4.2 The Standards Committee receives updates on complaints at each committee.

5. WORK PROGRAMME

- 5.1 The Standards Committee has continued to carry out work as per it's Work Programme and is summarised as follows:-
- **Protocols on forms of address** – this has been added to the Civic Protocol and an article was included in the Members Bulletin in July 2010.
 - **Media Protocol** – this received approval by Full Council in October 2010.
 - **Training Attendance** – this has been regularly monitored by the Committee.
 - **Equality Act 2010** – this was noted by the committee and a training session for all members took place on 2nd March 2011.
 - **Guidance from Standards for England for Dual-Hatted Members and the Code of Conduct** – this was noted by the Committee, an article was included in the November 2010 Members Bulletin and a training session for all members took place on 8th February 2011.

6. CONCLUSION

- 6.1 The Standards Committee has continued to carry out its work in challenging circumstances and will ensure that any transitional and/or new arrangements are implemented in a smooth and efficient manner.