

REPORT TO COUNCIL

REPORT OF: MR. CHRIS HOLTOM – CHAIRMAN OF STANDARDS COMMITTEE

REPORT NO: LDS027

DATE: 7th July 2011

TITLE:	STANDARDS COMMITTEE ANNUAL REPORT - 2010/11	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter – Engagement and Corporate Services	
CONTACT OFFICER:	Mrs. Lucy Youles - Head of Legal and Democratic Services (01476 406105; e-mail: l.youles@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT:	Carried out and Referred to in paragraph (7) below: n/a	Full impact assessment Required: n/a
Equality and Diversity		
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Members' Code of Conduct 2007	

1. RECOMMENDATIONS

It is recommended:

- 1.1 Council note the report of the Chairman of the Standards Committee for the period April 2010 to March 2011 and raise any questions relating to the working of the Standards Committee.
- 1.2 Council acknowledge the proposed work of the Standards Committee to establish a standards regime in line with the provisions of the Localism Bill to present options for consideration by the Engagement Policy Development Group for recommendation of a way forward to Cabinet and to Council.

2. PURPOSE OF THE REPORT

The purpose of the report is to highlight to Council the work of the Standards Committee over the last year, detail issues and report on what can be expected in the coming year.

3. DETAILS OF REPORT

This report covers the period April 2010 to March 2011.

COMMITTEE MEETINGS

The role of the Standards Committee is to promote, monitor and enforce probity and high ethical standards within the District, Town and Parish Councils of South Kesteven. The Committee met 4 times during the period covered by this report. In addition, the Assessment sub-committee of 3 members met on a further six occasions to assess a total of 15 complaints received. Of those 15 complaints, 10 were assessed for no further action and 5 were referred for investigation. One of those cases remains to be heard. Breach of the code was found in 2 of the cases investigated. The breaches of the code related to non-declaration of interests and failure to leave a meeting having declared an interest. Both Members involved acknowledged their breach and offered their apologies. No sanctions were imposed. The 2 cases where no breach was found related to matters of disrespect and related aspects of the code.

Of the 15 cases received, 5 related to councilors acting in their capacity as district councilors. The other 10 related to councilors acting in their capacity as town and parish councillors.

THE FUTURE OF STANDARDS

The Localism Bill proposes to abolish the current standards regime.

The provisions proposed include:

- To abolish Standards for England (The Standards Board)
- To remove the mandated requirement for a Standards Committee.
- To remove a mandated national Code of Conduct for councillors
- A new duty on local authorities to promote and maintain high standards of conduct, including provision for the adoption of a voluntary code of conduct and the powers to revise, adopt and withdraw such a code.
- To create a criminal offence relating to failure to register or declare interests.
- Clarification of rules relating to pre-determination

The expected consequences of the proposed provisions are that:

- A duty on local authorities to promote and maintain high standards of conduct, including provision for the adoption of a voluntary code of conduct and the powers to revise, adopt and withdraw such a code without precise national boundaries.
- the District Council will no longer have responsibility for dealing with town and parish council member complaints with the implication that they will have to be dealt with at that level. The District may wish to provide a suggested framework and advice
- A method of dealing with complaints will have to be established.

As the detail of the Localism Bill becomes clear, it is proposed that the Standards Committee will develop options available for working under the new regime. Those options can be presented to the Engagement Policy Development Group for consideration and recommendation to Cabinet and adoption by Council.

4. OTHER OPTIONS CONSIDERED

The provision and workings of the Standards Committee are based on statutory requirements.

5. RESOURCE IMPLICATIONS

The resource implications of any new regime are unknown. The cost of implementation must be a relevant consideration in the adoption of any new regime.

6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

There are no health and safety risks associated with this report. The data has been supplied from records held by the Head of Legal and Democratic Services.

7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

Not applicable

8. CRIME AND DISORDER IMPLICATIONS

There are no crime and order implications arising from this report.

9. COMMENTS OF FINANCIAL SERVICES

10. COMMENTS OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES

Both the monitoring officer and the deputy monitoring officer have worked closely with the Chairman and Vice Chairman of the Standards Committee to ensure complaints received have been processed in accordance with regulatory requirements. The Standards Committee have worked hard to ensure that all complaints are dealt with fairly and effectively. The Committee is best placed to develop options for future ways of working.

11. COMMENTS OF OTHER RELEVANT SERVICE MANAGER

None applicable

12. APPENDICES: None