
MEETING: STANDARDS COMMITTEE

DATE: 14 FEBRUARY 2008

SUBJECT: DEPARTMENT OF COMMUNITIES AND LOCAL GOVERNMENT – “CONSULTATION ON ORDERS AND REGULATIONS RELATING TO THE CONDUCT OF LOCAL AUTHORITY MEMBERS IN ENGLAND”

REPORT FROM: MONITORING OFFICER

CONTACT OFFICER: JAYNE HAMMOND, DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

TYPE OF DECISION: COMMITTEE

FREEDOM OF INFORMATION/ STATUS: THIS PAPER IS WITHIN THE PUBLIC DOMAIN

SUMMARY:

The Government is currently consulting on how the new ethical regime, as outlined in the Local Government Public Involvement in Health Act 2007 should operate. In particular, this deals with the proposal to have all complaints against Members initially considered by Local Standards Committees instead of complaints being referred to the national standard board for England.

OPTIONS AND RECOMMENDED OPTIONS (with reasons):

Members are asked to consider the responses to the Consultation questions and to delegate the final response to the Monitoring Officer.

IMPLICATIONS -

Corporate Aims/Policy Framework:

Do the proposals accord with the Policy Framework? Yes No

Financial Implications and Risk Considerations

There are no financial or risk considerations.

Statement by Director of Finance Not applicable

and E-Government:

Equality/Diversity implications There will be no significant impact in respect of the response to the Consultation.

Considered by Monitoring Officer: Yes

Are there any legal implications? Yes No

Staffing/ICT/Property: There are no implications from responding to the Consultation paper but there will be some staffing resource issues should the proposals to have complaints dealt with locally come into being.

Wards Affected: All
Scrutiny Interest: Not applicable

TRACKING/PROCESS

DIRECTOR: JAYNE HAMMOND, DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council
		Yes	

1.0 BACKGROUND

1.1 The Local Government and Public Involvement in Health Act 2007 introduces the framework for significant changes to the process of handling standards allegation against Members. These changes include the devolution of the handling of such allegations from the Standards Board for England to Standards Committee. The Department for Communities Local Government is now consulting on a number of issues relating to the implementation of these changes, seeking views on specific proposals as set out in this report, by 15 February 2008.

1.2 The Department's intention is to implement the changes from 1 April 2008. However whilst the issues which are the subject of this Consultation are important, there are a substantial number of matters and much detail which will have to be resolved by the final regulations and guidance. Also it is equally important that sufficient time is allowed, not only for proper consultation, but for full appreciation of the regulations that are finally

published together with training of Members. Experience of past changes to the system and particularly changes to the Code of Conduct underline how important it is to get these changes right first time, rather than to rush changes into effect.

- 1.3 The experience of the pilot exercises is that the implementation of the “local first sieve” will require local authorities to undertake a considerable amount of additional work. The Council will receive and need to process more allegations, as currently many are filtered out by the Standards Board for England or found on investigation to be unjustified. Each of these will require an initial assessment process. From the pilot exercise it is also clear that the changes will lead to a significant increase in the number of matters going to investigation.

2.0 CONSULTATION

- 2.1 The specific issues on which the Department is seeking views, together with an outline response, is set out at Appendix 1 to this report for Members to consider and discuss. Members are asked to propose a final response to the Consultation, to be delegated to the Monitoring Officer for submission to the Department.

List of Background Papers:-

Consultation Paper "Orders and Regulations Relating to the Conduct of Local Authority Members in England.

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