



Report to: Standards Committee

Subject: Standards Committee Report 2009/10

Date: 9 September 2010

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1. BACKGROUND

The Borough Council resolved to establish a Standards Committee in 2001 in response to the requirements of the Local Government Act 2000. The Committee's role is set out in the Council's Constitution under article 9 and includes application of the Ethical Framework and the Councillors' Code of Conduct in the parishes as well as the Borough.

Overall responsibility for the Standards system was originally in the hands of the Standards Board for England (SBE). Following legislation in 2007, the SBE devolved much of its work to the local standards committee ("the Local Framework") retaining strategic policy, research and the handling of the most serious cases of alleged breaches of the Code of Conduct. In 2009, the SBE was renamed Standards for England (SfE). All initial assessments of complaints were now to be dealt by the authority standards committees ("Local Assessment"),

In the earlier years of the code, the Gedling Standards Committee had few complaints to consider (none requiring action and none until 2008) but required regular meetings to respond to an assimilate a continuing flow of consultative and regulatory documentation from Central Government and the SBE. The Committee delivered appropriate training as necessary to Borough and parish councillors.

2. SUMMARY 2009/10

Current membership of the Committee, to meet the stipulations of SfE to achieve independence of action, consists of 3 elected members of the Borough, 4 independent members (including the Chairman) and 2 parish councillor representatives.

During 2009, 3 complaints were dealt with, 2 parish and 1 borough, and in each case the decision after assessment, was for no further action.

In 2010, to date, there have been 9 complaints; all parish. Of these 6 have involved no further action, 2 required further action from the Council's Monitoring Officer and one has been referred for investigation.

Direct costs for the Committee during 2009/10 amounted to £5,319 including allowances and responsibility payments made to the independent members and Chairman (at the approved Council rates) and attendance at the Annual Standards Assembly in October 2009 (booking fees and travel costs).

Direct costs for the current year to date amounts to £2,055 (all responsibility/allowance payments). The annual assembly scheduled for October has been cancelled, and it is expected that the final figure for 2010/11 will see a reduction on that for 2009/10.

At a recent annual assemblies it has become increasingly apparent that in a number of authorities standards committees have either sought, or been encouraged, to extend their remit into wider aspects of administration and governance, such as the basis for setting up partnerships, public communications and consultations and even budgeting.

Committee members discussed the trend at their November 2009 meeting and reached the conclusion that not only were some of the developments inappropriate to the original purpose of improving and/or maintaining the probity of individual councillors, but that over exposure to the day to day workings of the authority could call into question the independence and objectivity of the Committee itself. In their opinion, the remit of the Gedling Standards Committee should be kept simple and independent.

A subsequent meeting between the Chairman, the Chief Executive and group leaders endorsed this approach. This meeting also recognised the importance and effectiveness of the group system in defusing potential conflicts within the authority thus minimising member on member complaints.

3. THE FUTURE

Following the General Election in May the coalition Government announced its intention to include in a forthcoming Decentralisation and Localism Bill measures “to abolish the Standards Board regime”. The timing and details of this proposal are not yet known and it may take up to 12 months to implement. No information has been available from SfE or the Department of Communities and Local Government apart from a speech by the Parliamentary Under Secretary of State on 22 June which confirmed the plan “to abolish the Standards Board for England whilst ensuring that Councillors will remain answerable to their electorate”. In light of this statement and the perception of public concern over the probity/honesty of elected representatives at both national and local level, there is a view amongst commentators that some sort of overview of members’ standards will be retained within authorities.

Hitherto the number and seriousness of the complaints in the Borough and parishes of Gedling has been low. It is to be hoped that under any new system for standards that may be introduced during the coming months, the supervising body, elected members, group leaders, Chief Executive and officers will continue to work together with the practicality and pragmatism that has resulted in this good record.

4. RECOMMENDATION

Members are requested to approve the report and recommend that it be referred to full Council for consideration.