



Report of Assistant Chief Executive (Corporate Governance)

Standards Committee

Date: 12th July 2007

Subject: Standards Board for England Roadshow – 7th June

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report provides a brief summary of the Standards Board for England Roadshow which took place in Leeds of 7th June.
2. Several Members of the Standards Committee and the Monitoring Officer attended the Roadshow, which included a presentation on the provisions of the new Code of Conduct as well as information about the forthcoming changes in the Local Government and Public Health Bill regarding local filtering and the Standards Board becoming a strategic regulator.
3. Members of the Committee are asked to note the contents of this report.

1.0 Purpose Of This Report

- 1.1 This report provides a brief summary of the Standards Board for England Roadshow which took place in Leeds of 7th June.

2.0 Background Information

- 2.1 The Standards Board for England recently visited 11 locations in England to discuss various aspects of the new Code of Conduct and changes anticipated in the Local Government and Public Health Bill.
- 2.2 Four members of the Standards Committee attended the roadshow along with the Monitoring Officer and the clerk to the Committee. Members will recall that places were limited to four per authority initially, but as some authorities failed to use all four of their allocated places, Leeds were provided with additional places for those members who had requested them at the Committee meeting on 11th April 2007.

3.0 Main Issues

- 3.1 The purpose of the Standards Board roadshow was to:
- share advice and experience on implementing the changes to the Code of Conduct, and how they will affect standards committees and local authorities;
 - allow the Standards Board to listen first-hand to feedback, concerns and queries from local authorities;
 - update standards committees and monitoring officers on the forthcoming local filter for complaints, and how it will work in practice;
 - keep standards committees informed of news from the Standards Board for England; and
 - offer support from the Standards Board for England legal and policy teams.
- 3.2 The presentation was split into four sections covering general news and updates, an overview of the changes to the new Code of Conduct, information about bias and predetermination and challenges for 2008.

Challenges for 2008

- 3.3 Of particular interest to the Committee were the issues discussed in the 'Challenges for 2008'. These included:
- Arrangements for local filtering;
 - Reporting to the Standards Board;
 - Arrangements for training provision.
- 3.4 It was explained that the whole process for dealing with allegations from April 2008 would be local. Local authorities will be responsible for both receiving allegations and reporting on performance and possible intervention.

Receiving allegations

- 3.5 The Standards Board provided a list of matters to consider, including:
- Handling allegations – receipt and notifications;
 - Decision to be taken by the standards committee;
 - Criteria to use; and
 - Appeal mechanisms.

- 3.6 It is anticipated that local authorities will develop their own local criteria for deciding whether an allegation should be investigated or not. However the Standards Board did state that they may create some generic criteria as a result of the local filtering pilots.
- 3.7 It is unclear what the timescales for making a decision will be at this stage. The Standards Board are able to make the decision within 10 days, but it is unlikely that standards committees will be able to convene a meeting in this time. More details will be available in the regulations when they are released. There will be a time limit of 3 months in order to make a decision about any subsequent appeal.
- 3.8 The creation and make up of any filtering panel will also need to be considered. It was confirmed at the roadshow that members of standards committees could not be involved in both filtering and hearings. Therefore a separate panel with a distinct membership will have to be created. However, it is proposed that this matter is considered in greater detail at a later date (5th December 2007).
- 3.9 It was also suggested that there would need to be a separation of officers into the different stages of the process, and that the Committee may wish to have an officer recommendation to accompany each allegation to assist them with making the decision. Again it is proposed that these details are considered further on 5th December 2007.

Reporting on performance

- 3.10 The Standards Board explained that they will require two different sets of information. Firstly they will require information about case handling on a quarterly basis, and secondly they will require information about training and mediation etc. on an annual basis.
- 3.11 The quarterly report will need to cover areas such as the number of cases and the decisions taken, the number of appeals and the time taken to decide them, and the number and details of any investigations and hearings.
- 3.12 The annual report will need to include information about the Standards Committee's other functions such as arranging training, reviewing local codes, and mediation. This report will need to be approved by the whole Council and published on the Council's website as well as the Standards Board website. It may be that the current annual report created by the Committee can be adapted for this purpose.

Guidance and advice

- 3.13 The Standards Board will be offering guidance and advice to cover every stage of the process. The guidance will explain the legislation and materials will be provided for local adaptation (for example model forms).
- 3.14 This guidance will be provided in a new loose leaf format, and should be ready by January 2008, depending on whether the regulations are released when expected.

4.0 Implications For Council Policy And Governance

- 4.1 Considering the implications of these changes as early as possible will allow the Committee to be fully prepared for the new role and will contribute to the good governance of the Council.

5.0 Legal And Resource Implications

- 5.1 There are no legal implications to noting this report.
- 5.2 There may be resource implications to dealing with cases locally and the new reporting arrangements, but it is anticipated that these can be met from within existing resources.

6.0 Conclusions

- 6.1 The roadshow covered several themes surrounding the new Code of Conduct and the changes in the Local Government and Public Health Bill, but Members may particularly wish to note the information regarding local filtering.
- 6.2 Consideration will need to be given to the creation and make-up of a separate panel to carry out the local filtering role and the drafting of criteria for making the decision. It is proposed that these issues are considered in greater detail on 5th December 2007.

7.0 Recommendations

- 7.1 Members of the Committee are asked to note the contents of this report.