

Standards Committee

AGENDA STATUS:PUBLIC

Report Title	Standards Committee Annual Report 2008/09
Date of Meeting:	15 th June 2009
Directorate:	Borough Solicitor
Ward(s)	All

1. Summary

This report reviews the activity of Standards Committee during 2008/09. The report highlights the implementation of the Local Filter arrangements and refers to the future plans of the committee for 2009/10.

2. Recommendations

1. That Standards Committee notes this report.

3. Report Background

During the past year Standards Committee have made significant strides in developing the ethical agenda.

Following consideration of reports on the Annual Standards Board Conference, by the Chair and Monitoring Officer, and the Local Determination of Conduct Complaints Committee adopted and successfully implemented the 'Local Filter'. Implementation being supported by the development of a guidance manual, training for Committee Members and a briefing for senior management by the Monitoring Officer.

The implementation of the Local Filter placed increased responsibilities on Standards Committee for the receipt of and response to conduct complaints, which has necessitated the establishment of three Sub-Committees; a Referral Sub-Committee, a Review Sub-Committee, and a Hearing Sub-Committee. During the year eight complaints have been considered under the Local Filter arrangements, two were not referred, three were referred to the Monitoring Officer for alternative measures and three were referred to the Monitoring Officer for investigation.

In December 2008 Committee agreed a response to the central government consultation exercise on the proposed Code of Conduct for Members and Officers. The Communities and Local Government Department having trailed a code of conduct for officer for some time undertook a consultation exercise on a range of proposals for the form and extent of a code of conduct. A code of conduct for officers will form an important part of the ethical governance framework for the Council. The views of Standards Committee on this issue formed an important element of the response to the consultation made by the Council. The views of Standards Committee on consultations relating to ethical issues is beneficial to the Council and adds value to response made on such consultations.

The Committee has considered five bulletins published by the Standards Board for England during the year, the bulletins provide updates on legislation, case law, commentaries, calendars of events and highlight high performing authorities. The Committee has also received two reports on standards cases that have been referred to court. The first R (on the application of Gardner) v Harrogate Borough Council clarified the relationship between the Local Government Ombudsman and the Standards Board for England and the second R (on the application of Mullaney) v the Adjudication Panel for England clarified that the term 'official capacity' is to be read as having its ordinary meaning.

Standards Committee also considered a report on guidance provided by the Adjudication Panel in respect of Regulation 17 under which serious breaches of the Code can be referred directly to the Adjudication Panel that has power to impose harsher penalties and Standards Committee.

During the year Committee Members agreed to engage in an 'Away Day' in 2009. The purpose being to develop an ambitious work programme for the committee that engages, the political and managerial leadership on the ethical agenda and to consider and implement best practice. The Chair of Standards Committee and the Monitoring Officer have agreed the format and content of the away day and it is the process of being scheduled.

4. Implications (including financial implications)

4.1 Resources and Risk

Costs of the proposed away day have been allowed for in the current budget allocation for the Committee.

4.2 Legal

There are no legal implications related to this report.

4.3 Other Implications

There are no other implications related to this report.

5. Background Papers

Reports and minutes of Standards Committee meetings 2008/09.

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