



## STANDARDS COMMITTEE REPORT

<b>Report Title</b>	<b>Co-option of Independent Members and Parish Council Members to the Standards Committee</b>
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**AGENDA STATUS: PUBLIC**

<b>Committee Meeting Date:</b>	15 <sup>th</sup> October 2012
<b>Policy Document:</b>	No
<b>Directorate:</b>	Borough Secretary

### 1. Purpose

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- 1.1 To recommend that the Standards Committee co-opts members in accordance with the Full Council resolution of 21<sup>st</sup> June 2012.

### 2. Recommendations

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The Standards Committee is recommended to:

- 2.1 co-opt Trevor Morris and Zillah Turner on to the Standards Committee as non-voting Independent Members; and
- 2.2 agree to the appointment by co-option of two Parish Councillors to the Committee, and delegate the power to the Borough Secretary to make these appointments on its behalf.

### 3. Issues and Choices

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#### 3.1 Report Background

- 3.1.1 The Localism Act 2011 (the "Act") made changes to the system of regulation of standards of conduct for elected Councillors and any co-opted Members. On 21<sup>st</sup> June 2012 the Full Council adopted new standards arrangements which came into force on 1<sup>st</sup> July 2012 in accordance with the requirements of the Act. The new standards arrangements adopted by Full Council were the arrangements recommended to it by the previous statutory Standards Committee on 18<sup>th</sup> June 2012.

3.1.2 Legally, there is no longer a requirement for a statutory Standards Committee. However, the Council remains under a statutory duty to promote and maintain high standards of conduct for its elected and co-opted Members and there is still a need to deal with standards issues and case-work. Therefore the Council decided that the best way to discharge these functions would be through this new Standards Committee which is a normal Committee of Council governed by proportionality. The Full Council agreed a revision to Article 10 of the Constitution to set out the composition of the new Standards Committee.

3.1.3 Full Council agreed that Article 10 of the Constitution be amended to set out the composition of the new Standards Committee as follows:

*“The Standards Committee will be composed of nine Councillors. In addition the Standards Committee shall appoint:*

- *such Independent Members as the Committee considers appropriate. The Independent Members shall not have the right to vote;*
- *two Parish Council Members without the right to vote”.*

3.1.4 At this first meeting of the new Standards Committee, it therefore needs to make various appointments by co-option.

## **3.2 Issues**

### **3.2.1 Co-option of Independent Members**

3.2.1.1 In addition to adopting the revised Article 10 as set out in paragraph 3.1.3 above, Full Council also resolved, “That the new Standards Committee consider appointing at least three Independent Members”.

3.2.1.2 The Independent Members that are to be co-opted onto the Standards Committee are distinct from the “Independent Person” that the Act requires the Council to appoint to carry out specific functions in relation to dealing with conduct complaints made against Councillors. (The Independent Person will not sit as part of the Standards Committee). Although the new Independent Members will not be able to vote and will not have a role in dealing with complaints against Members, they will sit on the Standards Committee and provide a valuable independent perspective when contributing to the ongoing work of the Standards Committee in promoting and maintaining high standards of conduct amongst Members.

3.2.1.3 The previous statutory Standards Committee did include Independent Members who under the old statutory regime were involved in dealing with complaints made against Members. As the old statutory Standards Committee was disestablished from 1<sup>st</sup> July 2012, the Independent Members that were appointed to that Committee no longer sit as part of any Committee.

3.2.1.4 Two of the “old style” Independent Members are now agreeable to being co-opted onto this new Standards Committee as Independent Members who cannot vote.

3.2.1.5 It is therefore recommended that the Standards Committee co-opt Trevor Morris and Zillah Turner on to the Standards Committee as non-voting Independent Members. It is proposed that further Independent Members be identified and appointed by co-option at a later date as this new Standards Committee and the new standards arrangements become more established.

### **3.2.2 Co-option of Parish Members**

3.2.2.1 Under the new standards arrangements, the Council continues to have responsibility for dealing with standards complaints against elected and appointed members of Parish Councils.

3.2.2.2 The Parish Council representatives who sat on the previous statutory Standards Committee ceased to hold office on the disestablishment of the old Standards Committee.

3.2.2.3 Full Council agreed that this new Standards Committee should include two co-opted non-voting Parish Members.

3.2.2.4 It is therefore recommended that the Standards Committee agrees to the appointment by co-option of two Parish Councillors to the Committee and delegates the power to the Borough Secretary to make these appointments on its behalf.

3.2.2.5 It is proposed that the Borough Secretary will in the first instance approach the two Parish Representatives who sat on the previous statutory Standards Committee.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

Not applicable.

### **4.2 Resources and Risk**

None at present.

### **4.3 Legal**

These are contained in the body of the Report.

### **4.4 Equality**

None specifically.

### **4.5 Consultees (Internal and External)**

None specifically

#### **4.6 Other Implications**

None

#### **5. Background Papers**

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None

#### **6. Report Author**

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