THE ROLE OF THE STANDARDS COMMITTEE

1.0 EXECUTIVE SUMMARY

1.1 This report is for the information of Members and provides an outline of the role and work of the Standards Committee.

2.0 POLICY POSITION, BUDGETARY IMPLICATIONS, AND LINKS TO CORPORATE STRATEGY

2.1 The arrangements for the Standards Committee comply with the requirements of the Local Government Act 2000. There are no policy or budgetary implications arising from this report.

3.0 RECOMMENDATION

3.1 The Committee are asked to note the arrangements for meetings.

4.0 BACKGROUND

4.1 The Local Government Act 2000 introduced a new Ethical Framework for the promotion and maintenance of standards of conduct in local authorities. The framework included:

- general principles of conduct in Local Government
- a Model Code of Conduct for members
- a requirement for Council’s to adopt Local Codes of Conduct
- establishment of the Standards Board for England
• a requirement for Councils to have Standards Committees
• additional powers and duties for Monitoring Officers

4.2 Standards Committees

Each Local Authority is required to establish a Standards Committee with a membership and terms of office to be agreed by the Council. Standards Committees must comprise at least two elected Members and at least one member who is not a Member or Officer of that or any other authority. Regulations have been made prescribing the membership. The general functions of the Standards Committee are defined in the Local Government Act 2000 as:-

(a) promoting and monitoring high standards of conduct by the Members and co-opted Members of the authority, and

(b) assisting Members and co-opted Members of the authority to observe the authority’s Code of Conduct.

More specifically the Committee:-

(a) advises the authority on the adoption or revision of the Code of Conduct,

(b) monitors the operation of the authority’s Code of Conduct, and

(c) advises, trains or arranges to train Members and co-opted Members on matters relating to the authority’s Code of Conduct.

The Council may arrange for the Standards Committee to exercise such other functions as it considers appropriate and the Committee’s terms of reference are annexed to this report. The Committee will have a full role in consideration and determination of complaints of breaches of the Code of Conduct by individual Members where these are referred back to the Council by Ethical Standards Officers in accordance with statutory regulations.

4.3 Meetings

Meetings rotate between Carlisle and Kendal. The timetable of meetings for 2005/06 is as follows

Thursday 8 September at 10.00 am in County Offices, Kendal
Thursday 8 December at 10.00 am in The Courts, Carlisle
Thursday 9 March 2006 at 10.00 am in County Offices, Kendal
Friday 16 June at 10.00 am in The Courts, Carlisle

Other meetings may be held to consider specific complaints which have been referred to the Council for investigation or determination.

All meetings are held in public. Although the Committee has the power to exclude the press and public if certain confidential issues are being discussed, this will rarely happen in practice. In the event, the press and public rarely attend meetings.
Before the meeting begins a pre-meeting takes place involving all members. The purpose of this meeting is for members to have an informal discussion about the agenda before the meeting begins. Usually meetings last about two hours.

4.4 **Membership**

There are three elected members on the committee (one from each of the three main political groups) and four independent members. Apart from the very first meeting of the Committee in 2001, the Chairman and Vice-Chairman have always been drawn from the Independent members.

4.5 **Role of the Chairman**

As would be expected, the main role of the Chairman is to regulate the conduct of the meeting. The Committee operates within a framework largely defined by the Council’s Constitution and legislation relating to Standards Committees and local authority meetings generally.

The officers who advise the Committee will be on hand to give the Chairman any assistance he/she needs. For the most part the Chairman will be concerned with ensuring the meeting runs smoothly, the Committee gets through the business on the agenda and everyone has their say.

The Chairman is also closely involved with the Committee’s advisors in drawing up the agenda for meetings and acting as a “sounding board” where necessary between meetings. Where complaints are referred back to the Council by an Ethical Standards Officer for local investigation or determination the Monitoring Officer will consult with the Chairman on procedural matters.

4.6 **Role of the Committee’s Advisors**

The Committee’s advisors are Brian Walker, Head of Legal Services and Monitoring Officer and Michael Turner from the Member Services Unit. The Monitoring Officer is the Committee's principal advisor on its powers and responsibilities and the Code of Conduct. Michael Turner is responsible for ensuring the agenda papers are dispatched on time, preparing the minutes and reporting issues from the Committee to Council.

4.7 **Expenses**

Members of the Committee are entitled to claim travelling and subsistence allowances incurred as a result of attending meetings or any other associated duties. A claim form will be available at the meeting for members. These should be returned to Michael Turner as soon as possible who will arrange for payment to be made.

4.8 **Information for Members**

All of the Committee’s past agenda papers can be viewed on line at [http://www.cumbria.gov.uk/councilmeetings/default.asp](http://www.cumbria.gov.uk/councilmeetings/default.asp) (click on “Other
Committees” to access the Standards Committee.) Every 4-6 weeks copies of articles from the Local Government Press relating to standards issues across the country are sent to members.

The Standards Board for England issues guidance to Councils, Standards Committees and Monitoring Officers. The Standards Board web site ([http://www.standardsboard.co.uk/](http://www.standardsboard.co.uk/)) has a wealth of useful information.

4.9 **Support for Independent Members**

The Members Services Unit can provide the following services to Independent Members to help them carry out their role:-

- Typing and photocopying
- Stationery
- Dictaphones
- Storage equipment and filing cabinets
- Paper disposal facilities

A separate item on the agenda deals with induction for new members.

4.10 **Setting the Agenda**

The agenda is normally set about one month before the meeting. This is done in liaison with the Chairman. If any members have any proposals for possible agenda items these should be fed into the Chairman or Michael Turner.

4.11 **Minutes and Reports**

Minutes of the meeting are normally prepared and sent to members within seven working days of the meeting. The Committee also submits a report to the full County Council meeting which draws attention to the most significant issues considered at meetings and will include any recommendations to Council from the Committee.

4.12 **Validity of Meetings**

A meeting of the Standards Committee will not be valid (quorate) unless at least three members of the Committee, including at least one independent representative, are present for the whole meeting. If an Independent Member cannot take part in a meeting because of the Code of Conduct, eg where they have a prejudicial interest in the issue being discussed, the meeting will still be valid if at least three members of the Committee are present for the whole meeting. The number of Independent Members on the Committee should ensure that this is not an issue.
5.0 SUMMARY

The Standards Committee has an important role in promoting ethical standards in the Council and ensuring public confidence in local democracy. The Standards Board says:-

“We believe that Standards Committees should be proactive by introducing change rather than reacting to events. Ultimately, Standards Committees should aim to create and maintain ethical organisations.

Creating and maintaining an ethical organisation is not just about adopting a Code of Conduct for members. It is also about relationships both internally between members and Council staff, and externally with members of the public. It is about how the Council relates to the community and improves the service it provides. It involves the input and dedication of both members and Council staff.

Ethics are about more than members following the Code of Conduct. The aim of setting up a Standards Committee is to create a sense of ‘ethical well-being’ in the Council, to increase confidence in local democracy, and to improve the public image of local government”.

Brian Walker, Head of Legal Services
Michael Turner, Principal Democratic Services Manager

June 2005

APPENDICES

1. Terms of Reference

BACKGROUND PAPERS

None.

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