

STANDARDS COMMITTEE

8th April 2013

REVIEW OF OPERATION OF THE COMMITTEE

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services and Monitoring Officer
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

Members are requested to review the general operation of the Committee since the new Standards Committee was established in July 2012.

2. RECOMMENDATIONS

The Committee is asked to **RESOLVE** that

subject to any comments, the report be noted.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications associated with the contents of this report.

Legal Implications

- 3.2 There are no legal implications associated with the contents of this report.

Service / Operational Implications

Background

- 3.3 The new standards regime under the Localism Act 2011 came into force on 1st July 2012.
- 3.4 A copy of the Committee's Terms of Reference, as agreed by full Council, are attached at Appendix 1 to the report.

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Review of Operation of the Committee

- 3.5 The previous Standards Committee reviewed, on an annual basis, the general operation of the Committee. This report is before Members as it is anticipated that the new Committee will wish to do the same. Such a review would normally take place at the March meeting; that being the final meeting of the current municipal year and the last meeting prior to any changes in the borough councillor membership of the Committee agreed after the Annual Meeting of Council in May.
- 3.6 Reviewing the general operation of the Standards Committee is beneficial as it provides both Members and Officers with an opportunity to reflect on any key issues that may have arisen in relation to the Committee's practices and procedures over the preceding year, and to consider whether any consequential changes are required in the light of such issues.
- 3.7 One aspect that Members might wish to give some consideration to is the size of the current Standards Committee. The Committee comprises 5 Members, with the quorum for a meeting being 4 Members. Some difficulties were recently encountered in establishing a meeting of one of the Assessment Sub-Committees. Certain of the Sub-Committee Members and other Standards Committee Members were conflicted out of considering a complaint. This resulted in a non-Standards Committee Member substituting on the Assessment Sub-Committee. An increased membership of the Committee may assist in avoiding similar occurrences in the future. Any increase in size of the Committee would require full Council approval.
- 3.8 A separate report providing for a 12 month review of the new standards regime will be referred to the Committee for consideration in July.

Customer / Equalities and Diversity Implications

- 3.9 The Standards Committee is responsible for promoting and maintaining high standards of behaviour among Members and its work is therefore key to ethical governance arrangements in place within the Council.
- 3.10 Under the Localism Act 2011 the Council has a responsibility to promote and maintain high standards of conduct by Members and co-opted Members of the authority.
- 3.11 Reviewing the general operation of the Standards Committee assists the Committee in being proactive in fulfilling its role in ethical governance under the local standards framework.

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4. RISK MANAGEMENT

There are no risk implications associated with the contents of this report.

5. APPENDICES

Appendix 1 - Standards Committee Terms of Reference.

6. BACKGROUND PAPERS

None

7. KEY

Not applicable

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APPENDIX 1

STANDARDS COMMITTEE TERMS OF REFERENCE

<p>Terms of Reference</p>	<p>The Standards Committee will have the following roles and functions:</p> <ul style="list-style-type: none">a. promoting and maintaining high standards of conduct by Councillors and any co-opted members of Council bodies;b. assisting the Councillors and co-opted members to observe the Members' Code of Conduct;c. advising the Council on the adoption or revision of the Members' Code of Conduct;d. monitoring the operation of the Members' Code of Conduct;e. advising, training or arranging to train Councillors and co-opted members on matters relating to the Members' Code of Conduct;f. granting dispensations to Councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;g. dealing with any report from the Monitoring Officer following an investigation into a complaint concerning the Members' Code of Conduct;h. considering and determining allegations that a Councillor or co-opted Councillor may have failed to follow the Code of Conduct and where a breach of the Code is established making recommendations as to any sanctions to the appropriate person or body;i. the exercise of g – h above in relation to the Parish Councils in the Council's area and the members of those parish Councils;j. monitoring, and reviewing the operation of the Protocol on Member-Officer relations; andk. monitoring and reviewing the operation of the Protocol on Member-Member Relations.
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