

REPORT TO: Standards Committee
DATE: 9th September 2009
REPORTING OFFICER: Strategic Director - Corporate and Policy
SUBJECT: Joint Standards Committee Guidance
WARDS: N/A

1.0 PURPOSE OF THE REPORT

1.1 To advise Members of the publication of guidance from Standards for England on Joint Standards Committee

2.0 RECOMMENDATION

2.1 That the Committee notes the Report.

3.0 SUPPORTING INFORMATION

3.1 Standards for England have recently published guidance on the establishment of Joint Standards Committees. The guidance reflects the Standards Committee (Further Provisions) (England) Regulations 2009. These particular provisions are not mandatory.

Members will be aware that the Local Government Act 2000 provides that an authority must set up a Standards Committee and that the Standards Committee (England) Regulations 2008 set out the rules governing the size and composition of a Standards Committee.

The Standards Committee (Further Provisions) (England) Regulations 2009 enable joint standards committees to carry out any of the functions of a standards committee.

It is considered that joint arrangements are likely to be most useful where additional flexibility to deal with cases is needed, or where resources are limited and sharing them would benefit the successful management of the standards framework in the area.

Standards for England have also identified a number of potential problems or issues with joint arrangements which are important to consider. These would include the possibility that they become an overly bureaucratic and more complex process, leading to a lack of clarity for the general public, member resistance to joint committees, differing resource implications for authorities within the same joint working arrangement, and loss of local ownership of standards and ethical issues.

It must be remembered that the Standards framework became fully localised on 8th May 2008 which reflected a general desire supported by the Standards Board, among those in the field, to be able to manage their own complaints. The local standards framework also recognised that a knowledge of the local area and local situation can have a positive impact on finding the right solutions.

Standards for England recognise that authorities will have differing reasons for wanting or needing a joint Standards Committee and have therefore identified three model structures for joint committees which they feel offer the most practical ways of operating joint arrangements.

These are as follows:-

- Model A a joint Standards Committee to receive written allegations and requests for a review, and to decide what action to take in relation to them
- Model B a joint Standards Committee to carry out the functions in model A along with receiving and considering final investigation reports and conducting hearings, making findings and imposing sanctions.
- Model C A joint Standards Committee to carry out all of the functions of the Standards Committee.

The guidance goes on to consider in detail the composition of joint Standards Committees. The general rule is that a joint committee is composed in the same way as an ordinary standards committee but with the changes necessary to reflect the fact that it is a joint committee. So, it must include at least one elected member of each authority involved in the joint arrangement, at least 25% of the members of the joint committee must be independent members, at least three people must attend a joint standards committee meeting, the Chair of the joint committee must always be an independent member. Also, executive member is permitted to be on the joint standards committee

- . There must also be at least two representatives from Parish or Town Councils, and the Parish or Town Council Representative must be present on the committee at all times when Parish matters are being discussed. There is no limit to the number of independent members.

The guidance then goes on to deal in detail with arrangements for establishing membership.

It must be remembered that authorities have a power and not a duty to establish joint standards committees, and this report is submitted for information at this stage.

4.0 POLICY IMPLICATIONS

4.1 None

5.0 OTHER IMPLICATION

5.1 None

6.0 IMPLIATIONS FOR THE COUNCIL'S PRIORITIES

6.1 **Children and young people in Halton** – None

6.2 **Employment and Learning Skills in Halton** – None

6.3 **A Healthy Halton** – None

6.4 **A Safer Halton** – None

6.5 **Halton's Urban Renewal** – None

7.0 RISK ANALYSIS

7.1 No key issues have been identified which require control measures

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 The Report of itself does not contain specific equality and diversity issues

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

9.1 There are no documents under the meaning of the Act.