

REPORT TO: Standards Committee

DATE: 9th September 2009

REPORTING OFFICER: Strategic Director - Corporate and Policy

SUBJECT: Standards for England Paper – Suspending a Standards Committee’s Assessment and Review Functions

WARDS: N/A

1.0 PURPOSE OF THE REPORT

1.1 To introduce Standards for England’s recent paper setting out the circumstances in which it may suspend a Standards Committee’s Assessment and Review Functions

2.0 RECOMMENDATION

2.1 That the Report be noted.

3.0 SUPPORTING INFORMATION

3.1 Standards for England have recently issued a paper setting out the circumstances in which it may suspend Assessment Functions. The powers were given to the Board by the Local Government Act 2000 as amended and the circumstances in which suspension may be made are set out in the new Standards Committee (Further Provisions) (England) Regulations 2009. They are:

- Standards Committee has failed to have regard to Standards for England guidance in respect of the exercise of functions
- The Standards Committee has failed to comply with a direction issued by Standards for England in respect of the exercise of functions
- The Standards Committee or the Monitoring Officer has failed to carry out one or more of its functions in a reasonable time or a reasonable manner
- The Authority or the Standards Committee has invited Standards for England to suspend the Assessment and Review functions.

The paper goes on to set out formal processes for bringing into effect a suspension of functions. The document makes it clear that Standards for England only intend to use the power as a last resort. Suspension will usually only happen after a series of attempts to improve performance have failed.

The document details the process for issuing a direction, amendments to the direction, assessment in the review processes during a suspension, and how the Standards for England will work with a suspended authority. It is also them deals with how a suspension may be revoked.

Of course, the Monitoring Officer, the Standards Committee, and the Authority will do all it can to minimise the risk of such an important step ever needing to be taken in Halton. However, it is felt important to bring the power to the attention of the Committee.

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 SECION 100D OF THE LOCAL GOVERNMENT ACT 1972

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