

Standards Committee : 30 September 2009
Title of report: 2009 Annual Assembly of Standards Committees

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	N/A
Is it in the Council's Forward Plan?	N/A
Is it eligible for "call in" by Scrutiny?	N/A
Cabinet member portfolio	Corporate

Electoral wards affected and ward councillors consulted: All

Public or private: Public

1. Purpose of Report

The Standards for England's 2009 Annual Assembly for Standards Committees is being held in Birmingham on 12 and 13 October 2009. The Chair of the Standards Committee and Professor Alan Kitson will be attending on behalf of the committee together with an officer. This report is intended to assist Standards Committee in identifying issues which they would wish to be raised with Standards for England and colleagues from other authorities at the Annual Assembly.

2. Key Points

The programme for the Annual Assembly includes speakers who are members or chairs of standards committees, local authority officers, board members and officers from Standards for England, officers from the Audit Commission, the Chair of the Adjudication Panel for England and various academics. Fringe events have been organised by the Local Government Ombudsman, the Association of Council Secretaries and Solicitors, the Improvement and Development Agency and the Association of Independent Members of Standards Committees.

The Annual Assembly provides a useful opportunity for delegates to raise issues with Standards for England and to share experience of the standards system with other delegates. Issues which have been of interest or concern

to the Standards Committee and to officers since the 2008 Annual Assembly include:

- The proposed amendments to the Code of Conduct
- The proposed Code of Conduct for officers
- The use of “other action” at the assessment stage. (This was an issue at the 2008 Annual Assembly and Standards for England have since issued further guidance)
- The appropriate threshold at the assessment stage for a complaint to be referred for investigation.
- The use of consideration hearings where the finding in the Monitoring Officer’s report is one of breach of the Code ie where the case will inevitably be referred to a determination hearing.
- The lack of an expenses or costs regime for witnesses and parties attending determination hearings.
- The experience of authorities which have already conducted determination hearings.
- How exempt information would be dealt with in the context of a determination hearing ie where there was information which a party wished to be kept confidential.
- Freedom of expression and the Code of Conduct ie the circumstances in which a councillor’s right to freedom of expression would override the Code of Conduct and the impact upon councillors holding officers to account if an unduly restrictive view of what is protected by the right to freedom of expression is taken.
- The lack of a power for a consideration hearing to be adjourned for further investigations to be carried out.
- The options available to complainants who are aggrieved by the outcome of a consideration or determination hearing.
- The use of new forms of electronic communication by councillors and the application of the Code of Conduct to the content.

3. Implications for the Council

The Annual Assembly provides an opportunity for the Standards Committee to raise issues of interest or concern with Standards for England and with members of other standards committees with a view to improving the standards system.

4. Consultees and their opinions

N/a

5. Officer recommendations and reasons

Members of the Standards Committee are invited to identify any issues which they would like their delegates to raise at the 2009 Annual Assembly for Standards Committees.

6. Cabinet portfolio holder recommendation

N/a

7. Next steps

Any issues identified by Standards Committee will be followed up by the delegates to the Annual Assembly.

8. Contact officer and relevant papers

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Background Papers:

Materials on the 2009 Annual Assembly for Standards Committees at www.annualassembly.co.uk