

Standards Committee : 22 June 2010

Title of report: Proposed Abolition of the Standards Regime

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 new government announced in the Queen's Speech that the Decentralisation and Localism Bill would include proposals to "abolish the standards board regime". On 10 June 2010 the Parliamentary Under Secretary of State for Communities and Local Government (Andrew Stunell MP) confirmed, in response to a parliamentary question, that the government would be abolishing the Standards Board for England and that the necessary legislation would be in the localism bill. When asked what rights of appeal there would be if the local process went wrong he said that a safety net was needed and that his department was in discussion with local government colleagues about the most appropriate way of moving forward.

The purpose of this report is to consider the implications of these proposals for the Standards Committee. Standards for England wrote to English local authorities on 1 June 2010 setting out its position and that letter forms the Annex to this report.

2. Key Points

At present the detail of the government proposals is not known. It appears that Standards for England will be abolished but is not clear whether the current standards regime will be replaced with a different regime or simply

abolished, and whether local authorities will have the opportunity to create their own standards regimes.

Until the proposed legislation is passed the current standards regime will continue to apply. This means that the Code of Conduct will continue to apply to members, complaints about conduct must still be processed and the standards committee's statutory responsibilities will remain.

The issue arises as to whether it would be sensible to review some of the future action which the standards committee would have taken in the absence of these proposals with a view to avoiding unnecessary or abortive expenditure. This would affect issues such as:

- Attendance at the Annual Assembly for Standards Committees being held in October 2010 by Standards for England
- The current recruitment exercise for independent members
- The Work Programme for 2010/11
- The Training Programme for 2010/11

It seems sensible to await further information about the proposals and likely timescales for abolition before agreeing the 2010/11 Work Programme and Training Programme and before considering attendance at the Annual Assembly.

At its meeting on 26 May 2010 Council approved the standards committee's proposal to have a membership of 6 Kirklees Council elected members 5 independent members and 4 parish representatives. A recruitment exercise was commenced to recruit 2 new independent members, one to replace an independent member who is resigning and one to increase the number of independent members from 4 to 5.

By law at least 25% of the members of the standards committee must be independent members and the recruitment exercise must therefore continue in order to recruit at least one further independent member to replace the independent member who has recently resigned. The question then arises as to whether to recruit the second independent member or to reconsider the proposed 6-5-4 split between Kirklees, independent and parish members. On balance it seems sensible to proceed with the recruitment of two independent members given that the additional cost of recruiting and paying co-optees' allowance to the second member would be marginal. Candidates would be advised about the current uncertainty about the future of the standards regime.

3. Implications for the Council

The current standards regime will remain for the time being but until further information is available about the government proposals it is not clear what form any replacement of the current regime might take.

4. Consultees and their opinions

N/a

5. Officer recommendations and reasons

It is recommended that:

- 5.1 The recruitment of two independent members proceed.
- 5.2 A report be brought to a future standards committee on the 2010/11 Work Programme and Training Programme.
- 5.3 No arrangements be made at this time for representatives of standards committee to attend the 2010 Annual Assembly for Standards Committees

6. Cabinet portfolio holder recommendation

N/a

7. Next steps

See recommendations.

8. Contact officer and relevant papers

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Background Papers:

None