



**Standards Committee : 1 February 2011**

**Title of report: The Future Composition of Standards Committee**

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

**Electoral wards affected and ward councillors consulted: All**

**Public or private: Public**

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## **1. Purpose of Report**

The current composition of Standards Committee is 6 Kirklees Members, 5 External Members and 4 Parish Council Representatives. One of the parish council representative roles is currently vacant. Following previous decisions of Standards Committee and Council, the composition of Standards Committee between 1 April 2011 and the annual meeting of Council on 25 May 2011 will be 6 Kirklees Members, 3 External Members and 3 Parish Council Representatives. The purpose of this report is to seek Standards Committee's views on its own composition from the start of the 2011/12 municipal year until the abolition of the current standards regime, as proposed in the Decentralisation and Localism Bill, which is likely to take place in late 2011 or early 2012.

## **2. Key Points**

By law at least 25% of the membership of standards committees must be made up of external members. Sub-committees of standards committee dealing with complaints about member conduct, which consist of 3 members, must be chaired by external members. Where the complaint is about a Kirklees member the sub-committee must have at least one Kirklees member and where the complaint concerns a current or former parish councillor the sub-committee must include a parish council representative. The usual

composition of sub-committees is one external member, one Kirklees member and one parish council representative.

Once the legal requirement that at least 25% of the membership are external members is met, the remaining relevant factors in deciding the appropriate composition of Standards Committee include:

- the need for there to be sufficient members available to sit on the various sub-committees as and when required;
- an appropriate mix of Kirklees, External and Parish members to ensure that when decisions are made the experience of serving Kirklees and parish members is available to Standards Committee and that external members have a strong enough voice to provide a perspective from outside local government on behalf of local people; and
- the fact that the current standards regime is likely to be abolished during the 2011/12 municipal year and the consequent desirability of limiting the cost of any recruitment of any new external members given the likely brevity of their terms of office.
- The likely workload of Standards Committee and its sub-committees. This is difficult to predict but the workload of Standards Committee seems likely to reduce as no new legislation or guidance on the standards regime is likely to be issued prior to abolition of the system, although Standards Committee may have some work in relation to the implications of the abolition and the associated transitional arrangements. The work of the sub-committees in dealing with complaints is likely to either remain the same or possibly increase.

To retain the current split of 6 Kirklees, 5 External and 4 Parish members would involve the expense of the recruitment of two additional external members for brief terms.

The previous composition of Standards Committee, prior to the decision at Annual Council on 26 May 2010 was 5 Kirklees, 4 External and 3 Parish members. A return to this composition would involve the expense of the recruitment of one additional external member, which would offer only a marginal saving over the cost of recruiting two external members.

To retain the temporary 6-3-3 split would not involve any additional expense but the question arises as to whether, with the work of the full Standards Committee likely to decrease, the numbers could be reduced further while still leaving enough members to sit on the sub-committees when required. Given that there need to be enough external and parish members to process all the stages of a complaint, ie assessment sub-committee, review sub-committee

and consideration/determination sub-committee, the options would be 5-3-3 or 4-3-3. These splits would be likely to mean that the remaining Kirklees members would have to undertake more sub-committee work.

### **3. Implications for the Council**

In order to meet its statutory obligations under the Local Government Act 2000 the Council needs a properly constituted Standards Committee in place with the right mix of Kirklees, Parish and External members until such time as the standards regime is abolished.

### **4. Consultees and their opinions**

N/a

### **5. Officer recommendations and reasons**

That the Committee consider the future composition of the committee and make the appropriate recommendation to Council.

### **6. Cabinet portfolio holder recommendation**

N/a

### **7. Next steps**

N/a

### **8. Contact officer and relevant papers**

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#### Background Papers:

None