

**STANDARDS COMMITTEE – INDEPENDENT PERSONS**

**FULL COUNCIL, item 11**

**Committee:** FULL COUNCIL  
**Date:** 12 DECEMBER 2006  
**Title:** STANDARDS COMMITTEE – INDEPENDENT PERSONS  
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**Agenda Item**  
**11**

Item for decision

**Summary**

The Council has until now had a Standards Committee appointed before the Local Government Act 2000 (“the Act”) came into effect. This has been permissible under transitional arrangements contained in the Act. However these will cease to be available after the May 2007 elections and the Council needs to put arrangements in hand now to ensure compliance with the legislation then.

**Recommendations**

That the Council nominate a group of Members to appoint an independent person or persons to the Council’s Standards Committee.

**Background Papers**

Standards Board for England’s Guidance on Standards Committees  
[www.standardsboard.co.uk](http://www.standardsboard.co.uk)

Draft job description/person specification/advertisement available from the author of this report.

**Impact**

Communication/Consultation	Advertisements for applicants will be placed in local newspapers
Community Safety	None
Equalities	None
Finance	None
Human Rights	None
Legal implications	It is necessary for the position of independent persons to be advertised and for an appointment to be made at Annual Council in

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### FULL COUNCIL, item 11

	May 2007
Ward-specific impacts	None
Workforce/Workplace	None

### Situation

- 1 The Act introduced a new ethical code of conduct for Members of local authorities. One aspect of the Act was that Councils were required to establish a Standards Committee. The Committee must comprise at least three people with at least one independent person. There is also a requirement that at least 25% of the Committee is comprised of independent persons. Finally where there are Parish or Town Councils within the district there must be at least one Parish or Town Councillor to sit on the Committee when it is considering Parish or Town Council matters.
- 2 Standards Board guidance on best practice is that there should be at least two independent persons and at least two Parish or Town representatives. This Council complies with this guidance. In addition there are 4 elected Members, one from each of the political groups and the fourth selected by Full Council from nominations put forward by the groups.
- 3 The appointment of the Committee followed the procedure laid down in the Act. However as it was appointed before the Act came into force it is necessary for the Committee to be reappointed at Annual Council following the May 2007 elections and in order to comply with the statutory formalities the positions of the independent persons must be advertised.
- 4 The Constitution Task Group has considered and approved a job description/person specification/advertisement for the role and the advertisement will appear shortly. The present independent persons may or may not seek reappointment and it is possible that there may be other candidates. It is therefore necessary to establish a selection panel to interview candidates with a view to recommending appointments to Annual Council in May 2007. Members may consider that this function could be performed by the elected Members of the Standards Committee, the Constitution Task Group or another combination of Members.

### Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
The Council is unable to attract candidates for the role of Independent	Low – information currently to hand is that there may be	High – the Council would not be compliant with the legislation	In the event that there are no responses to the advertisement it is permissible to recruit by other means. Sufficient time

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Persons on the Standards Committee	a contest for the two positions	and would be unable to deal with referrals from the Standards Board	has been allowed to enable a list of suitable local persons to be drawn up and for direct approaches to be made.
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