

FUTURE OPERATION OF THE STANDARDS COMMITTEE
STANDARDS COMMITTEE item 6

Committee: STANDARDS COMMITTEE
Date: 16 JANUARY 2006
Title: FUTURE OPERATION OF THE
STANDARDS COMMITTEE
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Agenda Item

6

Item for
decision

Summary

- 1 The Local Government Act 2000 required local authorities (other than parish or community councils) to establish a standards committee to give advice and guidance on matters relating to conduct and to deal with cases referred from the Standards Board concerning alleged breaches of the Members Code of Conduct.
- 2 A number of local authorities (including Uttlesford) formed standards committees before the 2000 Act took effect. Under transitional provisions, authorities were allowed to continue with those arrangements. However, the transitional provisions will not apply after the date of the next Council elections in 2007.
- 3 The Constitution Task Group will therefore be asked to review the constitution and workings of the Standards Committee with a view to having in place a newly appointed committee immediately after the Council elections in May 2007.

Recommendations

- 4 That Members determine what representations (if any) they wish to make to the Constitution Task Group.

Background Papers

- 5 None.

Impact

Communication/Consultation	It will be necessary to re-advertise for independent members to be appointed to
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FUTURE OPERATION OF THE STANDARDS COMMITTEE

STANDARDS COMMITTEE item 6

	the Committee in 2007.
Community Safety	None.
Equalities	None.
Finance	None.
Human Rights	None.
Legal implications	A review of the operation of the Standards Committee and its reappointment in 2007 is necessary to comply with the legislation.
Ward-specific impacts	None.
Workforce/Workplace	None.

Situation

- 6 Uttlesford District Council is currently operating with a Standards Committee appointed before the Local Government Act 2000 came into effect under permitted transitional arrangements. It is therefore now necessary to review the structure of the Committee and its operation to ensure that the Council is compliant with the legislation after the 2007 elections.
- 7 The statutory requirements for a Standards Committee are that it should have at least two members of the authority and at least one independent person. In addition, if the Committee will deal with matters relating to town or parish councils, it must have at least one member from town and parish councils.
- 8 Uttlesford District Council's Standards Committee consists of eight members, four elected members of the District Council, two independent members and two members from town or parish councils within the District who are not also members of the District Council. The articles of the constitution require all political groups to be represented on the Committee. When there are less than four political groups represented on the Council, each group nominates two of its members. The Council appoints one member from each group and such additional members as may be necessary from the remaining nominees. The Leader of the Council may not be a member of the Standards Committee. The constitution provides that one of the independent persons shall be appointed by the Committee as its chairman. This is likely to be a statutory requirement in the future.
- 9 The Graham Committee recommended that the majority of members on the Standards Committee should be independent persons. Whilst accepting recommendations from the Graham Committee and the Standards Board regarding the role of standards committees (see separate report), it has rejected the suggestion that the majority of members should be independent from the Council. The current requirement therefore that a minimum of 25% of

FUTURE OPERATION OF THE STANDARDS COMMITTEE

STANDARDS COMMITTEE item 6

the members of the Committee should be independent of the Council is unlikely to change.

- 10 The Standards Board have published guidance on the selection of the independent person(s). The Constitution Task Group will be requested to have regard to this guidance when drawing a job specification for the independent representatives and in devising a selection process.
- 11 Whilst it would not be appropriate for the Standards Committee to conduct a review of itself, nevertheless the Committee may wish to make representations to the Constitution Task Group as to what it perceives would be the appropriate way forward.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
1 The Council fails to review the constitution of the Standards Committee in time for the Local Government Elections in May 2007.	Low	High. The Local Authority would cease to comply with the legislation thereby bringing itself into disrepute.	The Constitution Task Group should commence work as soon as possible on a revision of the composition and workings of the Standards Committee.
2 The Council fails to advertise for independent members insufficient time and/or fails to attract sufficient candidates of suitable quality.	Medium (unless the current independent representatives choose to seek reappointment)	High. The consequences set out above would follow.	The Council should advertise at an appropriate period before the election to enable a selection process to be effectively undertaken prior to the elections.