

Committee: STANDARDS

Agenda Item

Date: 23 July 2012

3

**Title: WORK PROGRAMME FOR THE
STANDARDS COMMITTEE 2012/13**

**Author: Michael Perry, Assistant Chief Executive
Legal, 01799 510416**

Item for decision

Summary

1. This report is to suggest to members areas of work which it may consider undertaking during the course of the current council year in addition to the committee's regulatory role.

Recommendations

2. The Cabinet determine its work programme for the current council year.

Financial Implications

3. None.

Background Papers

4. The following papers were referred to by the author in the preparation of this report:

Guidance published by Standards for England on a range of topics which may be accessed at

<http://webarchive.nationalarchives.gov.uk/20120202153716/http://www.standardsfor-children.org.uk>

Impact

- 5.

Communication/Consultation	None.
Community Safety	None.
Equalities	None.
Health and Safety	None.
Human Rights/Legal Implications	None.
Sustainability	None.
Ward-specific impacts	None.
Workforce/Workplace	None.

Situation

6. Under the Local Government Act 2000 the government established a Standards Board (later known as Standards for England) which had a range of statutory functions. These functions originally included vetting complaints to ascertain whether they merited investigation; arranging for the investigation of complaints by Ethical Standards Officers; monitoring the operation of the Code of Conduct and issuing guidance.
7. Pursuant to the last of these statutory functions the Standards Board issued a suite of guidance covering a range of issues. There was general guidance on the Code as a whole and then specific guidance relating to blogging; bullying and the Code of Conduct; charitable trustees and personal interests under the Code; disclosing confidential information; councillors, freemasons and the Code of Conduct; gifts, hospitality and the Code of Conduct; independent members; lobbying; notification to parish and town councils concerning complaints about their members; personal and prejudicial interest; role and appointment of parish and town council reps to the Standards Committee and dual-hatted members. Standards Committees appointed under the 2000 Act were obliged to have regard to guidance issued by the Standards Board.
8. The Localism Act 2011 abolished Standards for England and as a result the guidance issued by that body ceases to have statutory effect. Standards for England's website has now been shut down although most of the material published is accessible via the National Archives.
9. Clearly some of the guidance issued by Standards for England would no longer be of relevance. However, members may consider that it would be helpful to councillors both at district and parish level if some specific guidance were to be issued by the Committee indicating the approach which it is likely to take in dealing with certain issues.
10. Aside from guidance issued by Standards for England the Council has at various stages adopted certain protocols and by virtue of paragraph 3.2 of the Code of Conduct these are incorporated into the council's Code of Conduct by reference. These protocols include:
 - (a) Member/Officer protocol
 - (b) Code of Good Practice: Probity in Planning
 - (c) Planning Committee procedures for members' site visits
 - (d) Code of Good Practice: Probity in Licensing
 - (e) Gifts and hospitality guidance
 - (f) Statutory Officer Protocol
 - (g) Protocol in the use of Council's applied computer facilities by members.

11. It has been some time since these protocols were revised and in particular members may consider that priority should be given to the planning and licensing codes as these relate in part to matters which will need to be determined at meetings of committees of the Council.
12. It will not be possible to review all guidance and the protocols at the same time and members are therefore requested to give consideration as to how they wish to approach this task and to set a list of priorities for carrying out reviews and issuing guidance.

Risk Analysis

13.

Risk	Likelihood	Impact	Mitigating actions
There is uncertainty on the part of members who are subject to the Code as to what is expected of them	2, insofar as the general principles are concerned the Code is almost identical to the previous Code of Conduct which members are used to working to.	3, in the event that the Standards Committee took a significantly different approach to that followed previously without issuing appropriate guidance this would cause dissatisfaction with the Council and potentially a loss of confidence in the Standards Committee.	Members of the Committee follow the approach previously adopted until such time as it has issued revised guidance to members of the council and of town and parish councils within the district.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.