

By: Peter Sass - Head of Democratic Services and Local Leadership

To: Standards Committee – 20 July 2009

Subject: The Standards Committee (Further Provisions) (England) Regulations 2009

Summary: To consider the Standards Committee (Further Provisions) (England) Regulations 2009 and the implications for this Committee.

Unrestricted

Background

1. The Standards Committee (Further Provisions) (England) Regulations 2009 came into force on 15 June 2009 (**see Appendix 1**). These Regulations further develop the devolved conduct regime by allowing Councils to set up joint Standards Committees and making clearer the rules for such Committees to grant dispensations for Members who would otherwise be excluded from an item of business on the grounds of conflict of interest. The Regulations also strengthen the Standards Board's regulatory role by enabling it to intervene in cases of poor performance by a Council's Standards Committee.

2. The Committee is invited to comment upon whether there is any merit in the setting up of a Joint Standards Committee, say with the Kent Police Authority (KPA) or the Kent and Medway Fire and Rescue Authority (KMFR) either to replace the three individual committees (Standards Board model C) or to take over from the individual committees the function of assessing and reviewing allegations (Standards Board model A).

3. The advice of the Monitoring Officer is that the three authorities' respective individual Standards Committees are now so well-established that none of our authorities would probably be keen to give them up. Model A has some superficial attractions but the bureaucracy involved might become awkward and the existing agreement to share independent members when necessary seems a much easier way of spreading the burden of dealing with assessing and reviewing allegations. Members will be aware that, to date, it has not been necessary to use another authority's Standards Committee Member for the 8 complaints that KCC has dealt with in the previous 12 months. Accordingly, the Committee is advised not to pursue model A at this time.

Recommendation:

4. The Committee is invited to express views on the new powers for Standards Committees contained in the Regulations and instruct the Monitoring Officer accordingly.

Peter Sass – Head of Democratic Services and Local Leadership
July 2009