

CONSULTATION PAPER – ORDERS AND REGULATIONS RELATING TO THE CONDUCT OF MEMBERS

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Summary: Sets out a proposed response to the DCLG consultation on detailed arrangements for a new ethical regime for the conduct of local councillors in England

Recommendation: That the Standards Committee considers the consultation paper and the suggested responses to the specific questions posed
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1. INTRODUCTION

1.1 Part 10 of the Local Government and Public Involvement in Health Act 2007 introduces a new regime governing the ethical conduct of local councillors in England, based on a more proportionate and locally-based process for the investigation and determination of all but the most serious of misconduct allegations against local authority members.

2 SUMMARY OF ISSUES

2.1 The consultation paper concerns the following issues relating to local determination of complaints:

- New duties of standards committees to make initial assessments of complaints and the right of complainants to request reviews of decisions; the composition of Standards Committees to enable the 3 stages of processing complaints to be kept separate; and changes to the access to information rules as they affect Standards Committee meetings.
- The new function of the Standards Board for England in monitoring Standards Committees; the circumstances in which a Standards Committee's function of initial assessment of complaints can be suspended and undertaken instead by another Standards Committee or the Standards Board.
- Detailed changes in the way cases are handled by case tribunals of the Adjudication Panel and changes to the range of sanctions available to case tribunals.
- Changes to the dispensation regulations to enable councillors to participate in meetings to preserve political balance.
- The requirement for authorities which are not otherwise required to appoint a Standards Committee to do so for the purposes of the new duty to grant and supervise exemptions of posts from political restrictions.

2.2 A copy of the consultation paper is attached at Appendix “A” and a list of the proposed responses to the specific questions raised is at Appendix “B”.

List of Consultees: None

Background Papers: Local Government and Public Involvement in Health Act 2007; Consultation Paper: Orders and Regulations Relating to the Conduct of Local Authority Members in England

CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	None
Impact on Sustainability	None
Impact on Rural Proofing	None
Health and Safety Implications	None
Impact on Equality and Diversity Issues	None
Children and Young Persons Implications	None
Human Rights Act Implications	None
Monitoring Officer comments	
S. 151 Officer comments	