

Committee:	Audit Committee
Meeting Date:	14 November 2013
Lead Councillor/s:	Councillor
Local Councillor/s:	All Councillors
Director:	Geoff Dobson, Head of Strategic Finance
Assistant Director or Head of Service:	Tim Ryder, Interim Assistant Director (Scrutiny and Monitoring)
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Standards Update

Brief summary of report

1. This report provides the Committee with information and updates on topics relating to Standards that do not have specific reports on the agenda for the meeting, to enable it to fulfil its functions as outlined in the Constitution, with particular reference to its responsibility for promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives.

Action recommended

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| <ol style="list-style-type: none"> 2. The Committee is invited to note the information detailed in the report and agree any actions it may wish to take in respect of individual items in the report. |
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Reason for recommendation

3. To ensure the Committee is advised of current topics and progress on matters and topics within its responsibility. It also provides an opportunity for members to discuss these matters and raise questions with officers.

Alternative options

4. None.

Who will be affected by this decision?

5. Councillors, co-opted members, church and parent governor representatives and members of the public could potentially be affected by decisions made by the Committee in relation to Standards.

Main body of report

Annual Report of Committee for Standards in Public Life

6. The Committee on Standards in Public Life have issued their Annual Report 2012-13. The report is available on their website: <http://www.public-standards.gov.uk/wp-content/uploads/2013/08/Annual-report-Final-for-publication-190813.pdf>
7. The report includes the following with regard to local government standards:
 38. *Under the Localism Act 2011 the new local government standards regime came into effect on 1 July 2012. The Committee welcomed the introduction of a mandatory requirement for local authorities to adopt a local code of conduct based on the Seven Principles of Public Life and the intention to encourage a greater sense of local responsibility for standards and to reduce the number of vexatious complaints.*
 39. *While we recognise that the new system needs time to properly bed in, we do, however, have certain concerns:*
 - *Due to the emphasis on local ownership of standards we would expect the new regime, like the previous one, to function well in those areas where party leaders are prepared to provide the necessary leadership and example. It is likely to do less well where such leadership is inadequate (not forgetting that in several prominent recent cases it is the behaviour of leaders themselves that have been under question). History suggests that problems are most likely in areas with monolithic political cultures and correspondingly little political challenge, where partisan rivalry is most bitter and tit-for-tat accusations most common, or in those predominantly rural areas with significant numbers of independent members without the benefit of party discipline.*
 - *Under the previous arrangements local authorities and an independent tribunal had the power to suspend members for varying periods of time as a sanction against poor behaviour. The only sanctions now available, apart from through the use of a political party's internal discipline procedures are censure or criminal prosecution for deliberately withholding or misrepresenting a financial interest. We do not think these are sufficient. The last few years have seen a number of examples of inappropriate behaviour which would not pass the strict tests required to warrant a criminal prosecution, but which deserves a sanction stronger than simple censure. While censure may carry opprobrium in the political arena it is often considered unacceptably lenient by the public relative to other areas of their experience. Coercion of other members or officers is one category of offence with which it will be difficult to deal adequately under the new arrangements.*
 - *Under the previous arrangements allegations about poor behaviour were determined by standards committees*

independently chaired by individuals who were not themselves members of the local authority. Under the new arrangements every local authority must appoint at least one independent person whose views it will seek, and take into account, before making its decision on an allegation that it has decided to investigate. We doubt that this will be sufficient to provide assurance that justice is being done and, equally important, that it is seen to be done.

- *In the transition to the new system local authorities may have lacked proper time to prepare. In early June 2012 we wrote to all local authorities in England to ask about their preparations for implementing the new regime which came into force on 1 July 2012. The Committee was concerned that so late in the day, nearly half of those who responded had yet to adopt a new code and around four fifths had yet to appoint an independent person. The fact that the Regulations and Order which took effect from 1 July were laid only on 6 June cannot have helped their preparations.*

40. *While inevitably there have been various teething problems with the new regime, the Committee will continue to monitor the implementation and its effectiveness, particularly in relation to public confidence that any wrongdoing is tackled promptly and transparently in the absence of any external investigation and scrutiny.*

Training Event

8. A training event covering various aspects of the standards regime has been arranged by the Suffolk Monitoring Officers. Primarily focussed at the Independent Persons appointed by the Suffolk councils to advise Monitoring Officers when complaints about councillor conduct are received, the invitation has also been extended to Chairmen and Vice Chairmen of committees with the responsibility for maintaining high standards of conduct (i.e. this Committee for the County Council), and for those who may sit on any hearings panels.
9. The training will provide a refresher on the arrangements in place, discuss experiences of the first year of operation and share examples of cases (local and national). The event will also provide a good opportunity for discussion and networking with others involved in the standards arrangements. It is being held on 19 November at Mid Suffolk District Council offices.

Sources of Further Information

No other documents have been relied on to a material extent in preparing this report.

