

ROLE OF THE STANDARDS ADVISORY COMMITTEE

Standards Advisory Committee

7 October 2013

The New Standards Regime

- Old Standards Regime abolished.
- Council adopted new standards arrangements on July 4 2013.
- The previous arrangements have been maintained as far as possible.

Standards Advisory Committee

- Statutory Standards Committees abolished
- Standards Advisory Committee established to allow Independent Members to continue to participate and vote on issues.
- Committee reports to Full Council or other Committee as no longer a decision making body

Standards Advisory Committee

- Terms of reference as set out in the constitution
- Primary function is to promote and maintain high standards of conduct by councillors and co-opted members

New Code of Conduct

- What does the new Code contain?
- Statutory requirement to include the 7 Principles
 - Selflessness
 - Integrity
 - Objectivity
 - Accountability
 - Openness
 - Honesty
 - Leadership

New Code of Conduct

- The Code must provide for the registration and disclosure of disclosable pecuniary interests (DPI's) and other interests.
- No statutory Code.

DPI's

- Councillors required by law to register DPI's
- Categories of DPI specified in Regulations and included in the Code;
- Employment, trade or profession
- Sponsorship
- Contracts
- Land, licences, corporate tenancies and securities.

DPI's

- It is a Criminal Offence to fail to declare a DPI
- On conviction, a court may fine to Scale 5 (£5000) and/or disqualify from this or any authority for up to 5 years
- Prosecution only by Director of Public Prosecutions

Dealing with Complaints of Misconduct

- “Arrangements” adopted by Council on 4 July 2012 which set out –
 - How to deal with allegations
 - How to decide whether an allegation requires investigation
 - How to decide whether there has been a failure to comply with the relevant Code (i.e. a local hearing)
 - What action can be taken as a result of the failure to comply with the Code.

Dealing with Complaints of Misconduct

- Under the Arrangements the Statutory Officers Group (SOG) undertake first review
- May consult Independent Person.
- SOG may send complaint for investigation
- If investigation finds no breach SOG in consultation with IP will consider report and if agree no further action taken.

Dealing with Complaints of Misconduct

- If breach found 2 options:
- Local Resolution in consultation with IP or;
- Local Hearing – Panel of 5 members of Standards Advisory Committee plus the IP will be invited to attend
- Pre Hearing to determine issues
- Hearing- make recommendations to Full Council

Dealing with Complaints of Misconduct

- Arrangement include allegations against Parish Council Members
- No statutory sanctions (suspension, partial suspension, training, apology, etc.)
- Decisions are not invalidated by a member's failure to comply with Code

Sanctions

- Possible actions –
 - Censure
 - Report to full Council
 - Remove from outside appointments
 - Recommend Council to replace as Leader
 - Recommend Group Leader to remove from Cabinet or Committees
 - Withdraw facilities
- Borough Council has no power to direct Parish Council to take any action.

Going Forward

- Training
- Review of Code
- Review of Arrangements
- National picture