

Southend-on-Sea Borough Council

Corporate Director of Support Services
to
Standards Committee
on
31st March 2010

Report prepared by: John Williams,
Head of Legal & Democratic Services

Agenda
Item No.

5

Standards for England – A Review of the Local Standards Framework A Part 1 Public Agenda Item

1. Purpose of Report

To consider a review carried out by Standards for England on the Local Standards Framework.

2. Recommendation

That the report produced by Standards for England be noted.

3. Background

3.1 Local Standards Committees (and their Sub-Committees) have now been responsible for dealing with complaints against Councillors for nearly 2 years.

3.2 Standards for England has now produced a report (**Appendix 1**) reviewing the operation of the current Local Standards Framework.

3.3 The report supports the retention of the local complaints regime rather than reverting to a centralised system, but makes a number of recommendations for detailed changes:

- Monitoring Officer should make initial assessment whether a complaint is within the remit of the Code of Conduct.
- Chairman of Standards Committee should determine what then happens to an allegation, rather than the Assessment Sub-Committee, e.g. no action, refer for investigation etc.
- Statutory right for a complainant to seek a review via the Review Sub-Committee (if complaint is not pursued) should be abolished and replaced by a discretion for a review of particular decisions.

- After an Investigation, Chairman to decide whether to accept finding of no breach or if there is a breach whether to send for a Hearing or to the First Tier Tribunal.
- A Member complained about to be informed immediately, unless compelling reasons why not.

3.3 The Members' Code of Conduct

The report did not deal in detail with the content of the Members' Code of Conduct – but did recommend it be simplified: which must be right.

The Code is still being reviewed by the Government, but this will not now be completed until after the general election.

4. **Background Papers**

None

8. **Appendices**

Appendix 1 – Local Standards 2.0 – the Proportionality Upgrade?