



REPORT OF THE GOVERNANCE COMMITTEE

STANDARDS OF MEMBERS' CONDUCT – new regime

The Localism Act 2012 had introduced a new regime for adjudicating the standards of Members' conduct. There would no longer be a national standards framework and there was no obligation to appoint a Standards Committee. There was, however, a requirement for a Members' Code of Conduct, alleged breaches of which must be formally dealt with, and if upheld, sanctions can be imposed.

The Committee considered some initial matters relating to the management of the new process within the Council and to the appointment of an "independent person", required by the Act, who will be involved in dealing with the investigation of alleged breaches of standards. It was noted that a further report would follow in due course in relation to the required Code of Conduct and other matters.

The Committee recommends that policy matters relating to Standards should be delegated to it and that the Adjudication & Review Sub-Committee and its Hearings Panels should deal with individual complaints.

The Committee noted that complaints made before the new system is fully implemented will be dealt with under transitional arrangements and so, for a short period, there is the possibility that both the old and the new systems will operate in parallel.

The Committee **RECOMMENDS** to Council:

- 1 That, with effect from the date on which section 26 of the Localism Act 2011 comes into force, save insofar as it is necessary for any outstanding complaint made before that section comes into force to be disposed of:
 - (a) The existing Standards Committee be abolished.
 - (b) Responsibility for standards matters under the new regime be delegated to the Governance Committee and that the Adjudication & Review Sub-Committee deal with the investigation and resolution of allegations of breaches of the Council's Code of Conduct for Members.
 - (c) The functions of the Appointments Sub-Committee be extended to include the interview of applicants for appointment as the Independent Person for Standards under section 28(7) of the Act and making recommendations to the Council as to the appointment.

Council, 28 March 2012

- (d) The changes to the Constitution set out in the Appendix to this report be approved.
- 2 That the terms of office of the Independent Members of the Committee due to retire at the forthcoming Annual Meeting of the Council be extended until it is abolished and all outstanding matters have been dealt with..