



AGENDA ITEM: 5

**STANDARDS COMMITTEE:
13 February 2008**

Report of: Council Secretary and Solicitor

Contact for further information: Mrs G L Rowe (Ext 5004)

SUBJECT: CONSULTATION – LOCALLY BASED ETHICAL FRAMEWORK

District wide interest

1.0 PURPOSE OF THE REPORT

1.1 To advise members of the consultation paper on Orders and Regulations relating to the Conduct of Local Authority Members in England.

2.0 RECOMMENDATIONS

2.1 That Members consider the contents of the consultation paper at Appendix 1 and the draft response at Appendix 2 and determine the comments to be sent to the DCLG by Friday, 15 February 2008.

3.0 BACKGROUND

3.1 This is an important and significant consultation document and I have therefore attached the full text of the consultation paper as Appendix 1 to this Report.

4.0 CURRENT POSITION

4.1 The Government have published a Consultation Paper seeking views on the detailed arrangements for putting into effect the Orders and Regulations to provide a revised more locally based ethical regime for the Conduct of Councillors.

4.2 Part 10 of the Local Government and Public Involvement in Health Act 2007 (LGPIH) amends the Local Government Act 2000 (the 2000 Act) to provide for a revised ethical conduct regime based on the principle of proportionate

decision making. In order to implement the revised regime detailed arrangements need to be put in place to allow the Standards Board and Standards Committee to undertake their new roles.

4.3 These arrangements need to cover:

- The operation of standards committee's powers to make initial assessments of misconduct allegations.
- The operation of other functions by standards committees and the Adjudication Panel in issuing penalties and sanctions.
- The operation of the Standards Board's revised strategic role to provide supervision, support and guidance for the regime.

5.0 THE CONSULTATION PAPER

5.1 The Consultation Paper sets out each of these issues, the purpose of the provisions and the proposals for how the rules should operate via appropriate Regulations and Orders under the 2000 Act. Views are sought on how the detailed rules should work in practice. Particular questions are posed. The intention is to put these arrangements in place in Spring 2008.

5.2 The Consultation Paper also relates to the regime in respect of politically restricted posts and the maximum pay of political assistants.

5.3 Further, consultation also takes place on the Dispensation Regulations, Members will recall, in the past, having expressed concerns about operating the current poorly drafted provisions.

6.0 RESPONSE

6.1 A copy of a draft response which Members might wish to submit to the DCLG is attached as Appendix 2.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

7.1 There are no significant sustainability or community strategy implications.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

8.1 There are no significant financial or resource implications arising from the report, although there will clearly be significant financial and resource implications arising from implementation of the local ethical framework which will be met from existing resources and contingencies as appropriate.

9.0 RISK ASSESSMENT

9.1 There are no risks arising from responding to this Consultation Paper.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Appendix

Appendix 1 – Consultation Paper – Locally Based Ethical Framework
Appendix 2 – Draft response