



AGENDA ITEM: 5

**STANDARDS COMMITTEE:
14 July 2011**

Report of: Director of People and Places

Relevant Head of Service: Acting Borough Solicitor

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SUBJECT: WELCOME TO NEW MEMBERS, APPOINTMENT OF PARISH REPRESENTATIVE AND TRAINING

Borough wide interest

1.0 PURPOSE OF THE REPORT

1.1 To welcome the new Members to the Committee, consider the appointment of a parish representative to the Standards Committee due to the vacancy that has arisen and discuss any training issues.

2.0 RECOMMENDATIONS

2.1 That Councillors Davis and Moran be welcomed as new Members on the Committee.

2.2 That the Director of People and Places, in consultation with the Chairman, appoint the nominee with the highest number of votes received, as Parish Representative until the Annual Meeting in May 2012, once the appointment process is complete as detailed in paragraph 3 of the report.

2.3 That the training undertaken since the last update be noted and those members of the Committee requiring further / refresher training on the Local Assessment process attend the session being held at the rise of this meeting.

3.0 WELCOME TO NEW MEMBERS

3.1 Councillor appointments to the Committee are reviewed annually in accordance with Council procedures. At the Annual Council meeting held on 18 May 2011, Councillors J Davis and I Moran were appointed replacing P Cotterill, who is no longer a Member of the Council, and R Pendleton. A warm welcome is extended to these Members.

4.0 PARISH REPRESENTATIVE APPOINTMENT

- 4.1 Standards for England recommend a minimum of three parish council representatives on the Standards Committee and the Council has decided to have this number, although the legal minimum is two. This is to avoid situations where the Parish representative is conflicted out and in order to fulfil the requirement for a Parish representative to be present when considering Parish matters. The length of time they serve on the committee is currently four years. The Council determines its own recruitment process for Parish representatives, which involves Parish Councils in a fair and open manner.
- 4.2 The current four year term of office for Parish Councillor Representatives is not due to expire until the Annual Meeting of the Council in 2012. However, Parish Councillor Cheetham was elected as a Borough Councillor on 5 May 2011 and is not longer entitled to serve on the Committee as a Parish Representative.
- 4.3 All Parish Clerks have been contacted advising them of the vacancy and all, with the exception of Downholland and Newburgh have been invited to submit the name of a member they would wish to fill the vacancy on the Standards Committee by 6 September 2011. Downholland and Newburgh already have members appointed, therefore they are not able to nominate, but will be able to vote. In that invitation Parish Clerks were advised that the member nominated would be appointed until the Annual Meeting of the Council in May 2012, that he/she should not be a Borough Councillor and ideally should not be a close friend of any member or officer of the Borough Council. All nominees are required to prepare a brief personal profile.
- 4.4 Upon receipt of the nominations all Parish Clerks will be contacted again requesting their Parish Council to vote for one candidate from the list of nominees. They have been advised that the candidate with the highest number of votes would be considered for appointment to serve on the Standards Committee for 2011/2012.
- 4.5 As previously agreed, if the 3 appointed representatives are unavailable for any reason, including being conflicted out, in an emergency, a Parish representative can be appointed on a temporary basis, in the first instance by going to the other nominees put forward.
- 4.6 There is insufficient time, due to the frequency of Parish Council meetings for voting to take place in time for Council on 21 July 2011. To avoid delays in appointing a Parish Representative over the summer months I am suggesting authority be delegated to me to appoint the nominee with the highest number of votes received. This will enable a new Parish Representative to be in place at the earliest opportunity.
- 4.7 It was hoped that we would be a little clearer on the future of the Standards regime by now and in view of this we have delayed appointing a third Parish Representative. However, given that the current regime is still with the Council and should complaints be received under this process, it is important that an appropriate Standards Committee membership is in place.

5.0 TRAINING

5.1 One of the key roles of the Standards Committee is to ensure that Members are properly trained in the requirements of the Code of Conduct. Section 54 of the Local Government Act 2000 says the Committee is responsible for:

- (a) promoting and maintaining high standards of conduct by the Members and co-opted Members of the Authority;
- (b) assisting Members and co-opted Members of the Authority to observe the Authority's Code of Conduct;
- (c) monitoring the operation of the Authority's Code of Conduct;
- (d) advising, training or arranging to train Members and co-opted Members of the Authority on matters relating to the Authority's Code of Conduct.

5.2 Since the last update report, considered by the Committee on 3 June 2010, the following training has been provided which has been appropriately limited given the uncertain future of the Standards regime:

Training Session	Date	Participants	Other information
Visits to Borough and Parish Council meetings	Various	Standards Cttee Members	Twelve visits undertaken between June and November 2010 until the Committee decided that "such visits be suspended and further consideration be given to future visits once the Government's intention for the Standards regime becomes clear."
Induction training	9 September 2010 and 12 May 2011	New Borough Councillors	This session also included a brief overview of the Code of Conduct.
Assessment Sub-Cttee Training	4 May 2011	Members of the Assessment Sub-Cttee	Bespoke training prior to consideration of a complaint received.
Code of Conduct Training	16 May 2011	Borough Councillors	For newly elected Borough Councillors and those Members who had not received any formal training on the Code of Conduct
Review Sub-Cttee Training	26 May 2011	Members of the Review Sub-Cttee	Bespoke training prior to consideration of a review request in respect of a compliant received.

Training Session	Date	Participants	Other information
Code of Conduct Training Packs	May 2011	Borough and Parish Councillors, Members of the Standards Cttee.	The Committee agreed to defer the annual session scheduled for Nov 2010, however the Monitoring Officer provided an up-to-date training pack which was circulated to all Borough Councillors and all Pariish Councils. Copies were also provided to the members on the Standards Committee.

5.3 The Standards Committee viewed a DVD on Local Assessment in February 2010. Arrangements have been made to watch this DVD at the rise of this meeting, for those new members of the committee who would like to get a full overview of the local assessment procedure from start to finish. This session will also cover the May 2011 Training Pack in detail.

5.4 Members are of course always able to attend external training on the Code should they so wish.

5.5 I intend to organise bespoke training for Standards Committee members over the coming months and should be grateful for an indication of what is considered most helpful.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

6.1 Promotion of high ethical standards at a local level assists in demonstrating that the Council is an ethical organisation.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 An allowance of £200 is paid to the Parish Council representatives on the Standards Committee in recognition of their role as detailed in the 'Scheme of Members Allowances'.

7.2 The costs of providing training on standards is met from existing budget provision.

8.0 RISK ASSESSMENT

8.1 There are no significant management risks arising from this report and a Parish Representative should be appointed. However changes are expected with the Standards regime and members will be updated accordingly.

8.2 Training needs to be provided to comply with statutory obligations and to ensure Members are fully aware of the requirements placed upon them. This will enable them to avoid being in breach of the Code of Conduct with all the adverse consequences which would necessarily flow. Specific training for Standards Committee Members is provided to enable them to carry out their duties effectively.

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

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices:

None