

APPENDIX B

STANDARDS COMMITTEE – 13 MARCH 2012

14. THE FUTURE OF THE STANDARDS REGIME AT SEFTON COUNCIL

Further to Minute No. 10 of the meeting held on 29 November 2011, the Committee considered the report of the Head of Corporate Legal Services which provided a further update on the impact of the Localism Act 2011 and the current standards regime. The report also outlined the possible future arrangements for the administration of Standards in Sefton with effect from 1 July 2012.

RESOLVED: That

- (1) the Council be requested to determine which of the following options should be implemented with regard to the administration of Standards in Sefton with effect from 1 July 2012:
 - (a) the Standards Committee continue to operate as at present; or
 - (b) the work of the current Standards Committee be merged with that of the Council's Audit and Governance Committee and that the case-work of the current Standards Sub Committees continue and be overseen by the Audit and Governance Committee, or
 - (c) a Standards Panel comprising of members of the Audit and Governance Committee be appointed to oversee the case-work of the current Standards Sub Committee
- (2) subject to the decision taken by the Council on resolution 1 above, the Leaders of the Political Groups be requested to ensure that the expertise of the current members of this Committee on Standards issues is taken into account when the membership of the Committee responsible for the administration of Standards is determined for the 2012/13 Council Year; and
- (3) the Council be recommended to give approval to the following issues with regard to the new Standards regime:
 - (i) the draft Code of Conduct set out in Appendix A of the report as prepared by the Association of County Secretaries and Solicitors (ACSeS) be adopted by the Council with effect from 1 July 2012, subject to resolutions (vii) and (viii) below;
 - (ii) the Monitoring Officer and/or Deputies be given delegated authority in consultation with the Independent Member to deal

with certain prescribed matters, in writing without the need to convene meetings, as set out in paragraph 6 of the report;

- (iii) subject to resolution 1 above, authority be delegated to the Hearings Sub Committee to impose the range of sanctions identified in paragraph 7 of the report on a Councillor should he/she have been found to be in breach of the Code of Conduct;
 - (iv)) the Monitoring Officer be granted delegated authority to make arrangements for the advertisement, recruitment of an Independent Member (IP) and for standby IP's in consultation with a working group of members (maximum of 5 members) drawn from the current Standards Committee;
 - (v) the Monitoring Officer prepare the new register of interests in conjunction with the Head of Governance and Civic Services to comply with the new Code of Conduct and the Act and ensure that the register is available for inspection;
 - (vi) the Monitoring Officer ensure that Members of the Council and Parish Councils are made aware of their new obligations under the Act in due course;
 - (vii) in addition to the draft Code of Conduct prepared by ACSeS, a provision be included in the Code to ensure that members update their register of interests within 2 months of the date that a change occurs; and
 - (viii) a further addition be made to the ACSeS draft Code of Conduct that where a member discloses a Disclosable Pecuniary Interest, he/she must withdraw from the meeting room, including from the public gallery, during the whole consideration of any item of business in which he/she has an interest, except where he/she is permitted to remain as a result of a grant of a dispensation.
- (4) the Audit and Governance Committee be requested to consider and endorse the recommendations set out above.