
Report to: Cabinet **Date of Meeting:** 29 March 2012

Subject: The Future of the Standards Regime at Sefton Council

Report of: Head of Corporate Legal Services

Wards Affected: No

Is this a Key Decision? No **Is it included in the Forward Plan?** No

Exempt/Confidential No

Purpose/Summary

To outline possible future arrangements for the conduct of standards in Sefton

Recommendations: Cabinet – 29 March 2012

1. That Cabinet recommends to Council the adoption of the draft ACSeS Code of Conduct for Members (included in Annex A)
2. That Cabinet recommends to Council the future arrangements for the administration of Standards in Sefton Council in light of the options considered by the Standards Committee meeting

How does the decision contribute to the Council’s Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		X	
2	Jobs and Prosperity		X	
3	Environmental Sustainability		X	
4	Health and Well-Being		X	
5	Children and Young People		X	
6	Creating Safe Communities		X	
7	Creating Inclusive Communities		X	
8	Improving the Quality of Council Services and Strengthening Local Democracy		X	

Reasons for the Recommendation:

The Localism Act 2011 requires the Council to update its arrangements for dealing with Code of Conduct issues before 1 July 2011.

What will it cost and how will it be financed?

(A) Revenue Costs

Nil

(B) Capital Costs

Nil

Implications:

Legal: Legal implications are contained within the report	
Human Resources: Nil	
Equality	
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact on Service Delivery: Nil

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD1410/12.) has been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

These are contained within the report

Implementation Date for the Decision

1 July 2012

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Background Papers:

1. Introduction/Background

- 1.1 The Localism Act 2011 makes fundamental changes to the regulation of standards of conduct for Sefton's elected members, co-opted members and parish councillors. The date for implementation of these changes is 1 July 2012. A full report was considered by members of the Standards Committee meeting on 13 March 2012 and can be found on the following link to the Council's website <http://modgov.sefton.gov.uk/moderngov/documents/g6307/Public%20reports%20pack,%2013th-Mar-2012%2010.00,%20Standards%20Committee.pdf?T=10>
- 1.2 Annex A, sets out the draft Code of Conduct that it is proposed will apply to all elected and co-opted members of Sefton Council.
- 1.3 Members will be mindful that under the new legislation, the Council remains under a duty to both promote and maintain high standards of conduct for both the elected and co-opted members. To that end, Members are asked to recommend to Council the adoption of the draft ACSes Code of Conduct for Members contained in Annex A. (*Recommendation 2*)
- 1.4 Members will be aware that having a Standards Committee is currently a statutory requirement until 30 June 2012. After that date, the Council must simply have in place arrangements that can facilitate complaints being made under the Member Code of Conduct, considered and determined as appropriate. Currently under the Standards Committee regime there are three sub committees, namely initial assessment, review and hearings sub committees.
- 1.5 It was originally proposed that recommendations from the Standards Committee would be considered at the Council's Audit and Governance Committee on 28 March 2012. Any recommendations made would then be considered at the full meeting of the Council on 12 April 2012.
- 1.6 However, three options with respect to the future of the Standards Committee were proposed by the Standards Committee at its meeting on 13 March 2012. The minutes of that meeting are available at the following link <http://modgov.sefton.gov.uk/moderngov/ieListDocuments.aspx?CId=126&MId=6307>. Audit and Governance Committee will have had the opportunity to consider these options and the report more generally at its meeting on 28 March 2012. In these circumstances, Cabinet can be updated orally on the outcome of that meeting. Cabinet can then proceed to determine for recommendation to Council the preferred option on the future of the Standards Committee and administrative arrangements accordingly.
- 1.7 The three options for consideration raised by Standards Committee were as follows
 - (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 (i.e. a sub committee of the Audit and Governance Committee) comprising of members of the Audit and Governance Committee be appointed to oversee the case-work of the current Standards Sub Committee

1.8 The terms of reference for each of the Standards and Audit and Governance Committees can be found on the Council's website (pages 12-14 refer)
<http://modgov.sefton.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13191&path=0>

1.9 Cabinet is asked to consider the future arrangements for the administration of Standards in Sefton Council in light of the options considered by the Standards Committee meeting and to make a recommendation to Council.
(*Recommendation 3*)