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**Report to:** Council **Date of Meeting** 5 July 2012

**Subject:** Standards Regime at Sefton – Supplementary Report

**Report of:** Head of Corporate Legal Services **Wards Affected: All**

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

**Exempt/Confidential** No

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### **Purpose/Summary**

This supplementary report provides details of the recommendations of the Standards Committee and Audit and Governance Committee on the issues set out in the previous report circulated with the agenda for the Council meeting and the details of the Independent Persons to be appointed to the Audit and Governance Committee.

### **Recommendation(s)**

The Council is requested to consider the following revised recommendations:

1. To note that the Code of Conduct as set out in Appendix C of the report previously circulated, was adopted by the Council on 12 April 2012, subject to a further review of the administration of Standards in Sefton being undertaken within six months of their introduction and being re-considered by the Council;
2. To agree that a working party be drawn from the Audit & Governance Committee as opposed to the Standards Committee as set out in Resolution 6 of the Council meeting held on 12 April 2012. (Paragraph 1(6) of the report previously circulated refers);
3. To agree to the appointment of Mr J. Fraser and Mr E. Davies as the Independent Persons in accordance with the transitory regulations for the period ending no later than 30 June 2013;
4. To agree to the additional Terms of Reference for Audit and Governance Committee as shown at Appendix D of the report previously circulated; and
5. To approve the appointment of a Parish Council representative and substitute representative (appointed by the Sefton Area Partnership Of Local Councils) as a co-opted member of the Audit and Governance Standards Sub Committees, to enable him/her to be involved in the consideration of any complaints submitted in respect of the conduct of any Parish Councillor within the Borough of Sefton.

## **1. Introduction/Background**

### **1.1 Standards Committee**

The Standards Committee considered the update report on the Standards Regime at its meeting held on 19 June 2012 and resolved: That:

- (1) the report be noted;
- (2) the Council be requested to give approval to the appointment of a Parish Council Representative and Substitute Representative (appointed by the Sefton Area Partnership Of Local Councils) as a Co-opted Member of the Audit and Governance Standards Sub Committees, to enable him/her to be involved in the consideration of any complaints submitted in respect of the conduct of any Parish Councillor within the Borough of Sefton; and
- (3) the Audit and Governance Committee be requested to give due regard to the Codes of Conduct implemented by other Merseyside local authorities and joint authorities in due course.

### **1.2 Audit and Governance Committee**

Audit and Governance Committee also considered the update report on the Standards Regime at its meeting held on 27 June 2012 and resolved: That:

- (1) the report be noted;
- (2) it be noted that a further review and research would be undertaken of the codes of conduct adopted elsewhere and within Merseyside, within the current municipal year and be submitted to this Committee and the Council for consideration;
- (3) the Council be recommended to approve the additional terms of reference for this Committee as set out in Appendix D of the report; and
- (4) the Council be recommended to give approval to the appointment of a Parish Council representative and substitute representative (appointed by the Sefton Area Partnership Of Local Councils) as a co-opted member of the Audit and Governance Standards Sub Committees, to enable him/her to be involved in the consideration of any complaints submitted in respect of the conduct of any Parish Councillor within the Borough of Sefton.

### **1.3 Independent Persons**

The introduction of the transitory regulations concerning the appointment of independent persons means that the existing serving independent members can now be appointed as independent persons for a period of up to twelve months. Following this, the Council must appoint individuals who have essentially had no prior involvement with the authority as an officer, member or independent member in the last five years. The Standards Committee at an earlier meeting had expressed concern about loss of experience and knowledge that the independent

members had gained. The transitory regulations effectively allow for a hand over period between the independent persons appointed by virtue of the transitory regulations and the decision in the future to appoint brand new independent persons. It is proposed that Mr J. Fraser and Mr E. Davies be appointed as the Independent Persons in accordance with the transitory regulations for the period ending no later than 30 June 2013.