

Standards Committee

Update from Standards for England

18 March 2010

Report of the Head of Legal and Democratic Services/Monitoring Officer

PURPOSE OF REPORT

To update members of the committee on new information from Standards for England regarding the proposed revised code of conduct and the local assessment framework.

This report is public

Recommendations

The meeting is recommended:

- (1) To note the contents of the report.

Executive Summary

Introduction

- 1.1 The Monitoring Officer recently attended the LGG Monitoring Officer Conference where Standards for England gave an update on the proposed code of conduct and developments to the local assessment framework.

Proposals

- 1.2 Standards for England advised that, as expected, there is no parliamentary time for a new code of conduct to be considered by May 2010. The committee were originally consulted on a new code in November 2008. At the annual Standards conference in October 2009 attendees had been advised that a new code would be published by December for implementation in May 2010.
- 1.3 The original proposals the committee were consulted on have now been dropped and Standards for England are proposing complete changes to the system including new powers for Monitoring Officer to filter persistent and vexatious complaints and the possible removal of the right to review

assessment decisions. It appears, after much criticism, Standards for England have listened to committees and Monitoring Officers who feel the current system is not proportionate and can be costly and time consuming. Standards for England have accepted that the framework is too bureaucratic and are seeking to simplify the system. New proposals will be made to the incoming government after the general election.

- 1.4 Standards for England are also proposing a new risk management framework where authorities will be categorised as: green, amber or red depending on their perceived level of risk. Local authorities will be assigned a Standards for England relationship manager, the level of involvement the manager will have with the authority will depend on which colour category they sit in. Green authorities would receive a phone call from their relationship manager twice a year. Amber authorities would receive two phone calls plus an annual visit and red authorities will receive as much support as Standards for England feel appropriate.
- 1.5 The categories are based on risk as perceived by Standards for England and not the performance of the Council in dealing with Standards issues. For example, Cherwell would automatically be amber because it has responsibility for a "significant" (that is, more than 60) number of parish councils. The proposals were not well received at the conference. It was originally planned that the risk management framework would be implemented in April 2010 but this has been postponed by six months to allow for consultation.

Conclusion

- 1.6 There could be some significant changes to the local assessment framework following the general election which will impact on the role of the committee.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 This report is for information and there are no key issues arising.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One Agree the recommendation as set out.

Option Two Amend the recommendation

Consultations

None

Implications

Financial: There are no financial implications arising from this report.
Comments checked by Denise Westlake, CSR Service Accountant, 01295 221982

Legal: There are no legal implications arising from this report.
Comments checked by Liz Howlett, Head of Legal and Democratic Services 01295 221686

Risk Management: There are no risk implications arising from this report
Comments checked by Rosemary Watts, Risk Management & Insurance Officer, 01295 221566

Wards Affected

All

Document Information

Appendix No	Title
Appendix	None
Background Papers	
None	
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