

Report to: **Standards Committee**

Date: **29 April 2010**

Title of report: **Review of the Local Standards Framework**

By: **Assistant Director, Legal and Democratic Services**

Purpose of report: **To consider the recommendations by Standards For England in the review 'Local Standards 2.0- the proportionality Upgrade'.**

RECOMMENDATIONS

- 1) The Standards Committee is recommended to note the report.
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1. Financial Implications

- 1.1 There are no financial implications to this report.

2. Background information

2.1 On 5th March 2010, Standards for England (SFE) issued an Appraisal Report entitled 'Local Standards 2.0- the proportionality Upgrade?' (copy annexed to this report) reviewing the local government standards framework.

2.2 SFE found the framework to be working, in the sense 'that it is both having a positive influence on behaviour and generating confidence that bad behaviour will be dealt with'. However, the SFE acknowledged the presence of 'bugbears and glitches both for those operating the system and those regulated under it', and that these raise questions about the proportionality of the framework-its timeliness, cost and fairness to all'. The recommendations listed in Appendix 1 of the Appraisal Report aim to produce: more streamlined local assessment - saving on time, money and process; an enhanced role for independent chairs and vice chairs; and a commitment to greater transparency for members who are the subject of complaints, among a number of other changes.

2.3 Key recommendations include:

- Recommendations 2, 3, 4, and 7- that the initial assessment is carried out by the independent chair of the Standards Committee acting with the advice of the monitoring officer, or if the chairman was unavailable or has a conflict of interest in relation to an allegation there should be an independent vice-chairman who should deputise. Similarly the chair/vice chair would decide after completion of a local investigation whether to accept a finding of no breach, or where a breach is found whether it should be heard locally or not.
- Recommendation 6- the current statutory review arrangements should be removed, but authorities be given the discretionary power to allow for the review of particular decisions.
- Recommendation 10- the monitoring officer should be able to recommend to the Standards Committee at any stage that an investigation be stopped.
- Recommendation 12- local authorities should no longer be required to publish decision notices about the outcome of some investigations and most hearings in the local newspaper. Instead they are published on the local authority website.

2.3 Time will tell whether the recommendations harden into law. If the Conservative Party wins the forthcoming general election, they have said that they will scrap SFE.

3. Recommendations

3.1 The Committee is recommended to note the report.

PHILIP BAKER

Assistant Director, Legal and Democratic Services

Contact Officers – Jonathan Ruddock-West, Assistant Director, Law (01273 481684)

Mary Clarke, Head of Democratic Services (01273 481587)

Local Members: All

Background Documents: None