

REPORT OF:	MONITORING OFFICER
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TO:	STANDARDS COMMITTEE
DATE:	18 TH SEPTEMBER 2005

AGENDA ITEM NO:		WARD(S) AFFECTED:	ALL
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SUBJECT:	CODE OF CONDUCT
PURPOSE OF THE REPORT:	TO UPDATE THE COMMITTEE ON THE CONSULTATION ON THE CODE OF CONDUCT
RECOMMENDATIONS:	
1. To note the report	

Background

1. The Standards Board for England is reviewing the Code of Conduct. It is 3 years since the Code came into operation and the Board is examining its effectiveness and considering addressing some of the issues that have arisen. Owing to resource constraints it was not possible to bring a report on the Consultation to this Committee but a brief summary of the issues is set out below.

Key areas for review

2. Although comments were sought on all aspects of the operation of the Code the Board identified the following key areas of the Code for review:
 - Public interest defence in relation to the disclosure of confidential information
 - The duty of Members to report misconduct by colleagues
 - The line between public and private conduct
 - Personal and Prejudicial interests
 - Registering interests

Next Steps

3. It is understood that the Government will be looking at the recommendations of the Standards Board on the review of the code together with
 - the recommendations of the Graham Committee on Standards in Public Life; and
 - the recommendations of the Parliamentary Select Committee on the Role and Effectiveness of the Standards Board for England.
4. The Graham Committee proposed that:

- the Standards Board should radically transform itself into a strategic regulator focussing on those most serious allegations that pose a high risk to the reputation of local democracy.
 - changing to a locally based system where the initial handling of complaints is done by existing independent local Standards Committees.
5. This, and other measures are intended to address the large number of minor, vexatious and politically motivated complaints that have created a significant backlog of national investigations, leaving many councillors with allegations hanging over their heads for long periods of time. The Committee also considered that this should also enable the Standards Board to make significant savings in its current budget.
 6. If such a change is made it will mean additional work for Local Authority Standards Committees, as many more cases would be referred to these rather than being dealt with centrally by the Standards Board.
 7. Concerns generally that savings for the Standards board will mean additional expenditure for Local Authorities with no additional resources being made available to carry out this extended role. Representations on this have been made to the Local Government |Group and a decision ifs still awaited.

The delegation of cases to Local Authorities will also inevitably lead to less consistent decision-making.
 8. It is understood that a decision may be announced later in the year but if legislation is required then implementation of any changes is unlikely until April 2008.

Resource Implications

9. There are no resource implications arising directly from this report.

Conclusions

10. It is clear that the timescales for introducing any significant changes to the standards regime will be fairly lengthy. The Council will need to consider any revised proposals particularly if they include the introduction of local filtering arrangements in the light of the potential resource implications.

Background Papers: Published documents