

DERBYSHIRE COUNTY COUNCIL

ANNUAL REPORT OF THE STANDARDS COMMITTEE

Purpose of the Report

This is the final Annual Report of the Standards Committee, as the Localism Act 2011 has made a number of fundamental changes to the way standards matters will be dealt with from July 2012.

Information and Analysis

The work of the Standards Committee is intended:

- to play a vital role in promoting and maintaining high standards of conduct by Council Members
- to add to the feeling of ethical well-being in the Authority
- to give the public extra confidence that their representatives are acting honourably in accordance with the general principles of public life
- to underpin trust and confidence in local democracy

The Standards Committee now comprises eight elected Members – the current membership being Councillors Mrs G Birkin, Ms S L Blank, Mrs C M Cox, G K Hickton, P Murray, Mrs J E Patten, R W Russell, D Wilson, and five independent members - R V Tomlinson, Mrs D Wright, S D Heaney, S Hooton, P Purnell (Chairman).

Over the past ten years the Standards Committee has performed its role by supporting and monitoring the Code of Conduct for Council Members, organising training for Members on the Code, determining any complaints of breaches in the Code referred to it by the Monitoring Officer, dealing with any updating issues for upholding standards put forward by the national body 'Standards for England', and considering any proposed changes in the Council's Constitution and related matters before they are put to the County Council for decision.

The last year has been largely devoted to consideration of the Government's proposals in the Localism Bill to terminate the standards regime, which has developed considerably in its extent since 2002. The initial Bill proposals were to abolish 'Standards for England' and also the need for a code of conduct for members and for local standards committees. The Standards Committee has

considered the proposals as details have been forthcoming and recommended that a code of conduct be continued as a foundation for a future ethical framework, as there will still be a duty on the Council to promote and maintain high standards of conduct by Members.

In the event, the Localism Act does require councils to maintain a Code of Conduct for members, to have in place arrangements for complaints alleging breaches of the code to be considered and where necessary investigated, and for the views of an 'independent person' to be taken into account. It is for each local authority to decide its own arrangements for effecting the provisions of the Act and this is the subject of a separate report by the Director of Legal Services.

Meanwhile the normal work of the Standards Committee has continued. This has included consideration of the annual Local Government Ombudsman's Review Letter and casework. Public awareness of the role of the Standards Committee has been raised in recent years through an information leaflet and an article in 'Derbyshire First' entitled 'Pledge on Standards'. Improvements have also been made to the Council's website to make it easier to access information about the Council's ethical framework, the work of the Standards Committee, and 'how to complain'.

Since 2002 the number of complaints against County Council Members has been low and very few have resulted in adverse findings.

The Standards Committee has made a particular contribution to Member training and has arranged or participated in the following events:

- The New Code – May and June 2002
- Standards in Practice – March 2004
- Case Handling for the Standards Committee – March 2004
- Dual-Hatted Members and Lobbying – March 2005
- Induction of New Members – May 2005
- Standards or Planning Committee Members – May 2005
- Members' Seminar – December 2005
- Members' Seminar – January 2007
- Members' Seminar – November 2007
- Members' Seminar – July and November 2009

The Committee decided to postpone the planned training for 2011 because of uncertainty over the future of the Code of Conduct. Now that this matter has been resolved, training should be prioritised under the new standards arrangements so that Members can be updated on all the requirements of the new ethical framework.

Meanwhile guidance has been available from the Standards Committee and from the Monitoring Officer on the current Code of Conduct and other aspects of the ethical framework. The Leaders of the political groups and the Chief Executive regard high ethical standards as an essential element of the work of

the Authority and have been fully supportive of the work of the Standards Committee.

For several years the Committee met jointly with the Standards Committee of the Fire Authority. This arrangement has been beneficial in terms of efficiency and sharing experience. With the need for each authority to consider its response to the projected end of the current standards regime, the Fire Authority and County Council's Standards Committees have met separately during the past year in order to aid consideration of future arrangements.

Now that a new ethical framework is about to come into operation, we would like to thank all those who have been involved with the Standards Committee over the past decade for their contribution to upholding high ethical standards in the Authority.

Peter Purnell
Chairman

John McElvaney
Director of Legal Services

25th May 2012