

BROMSGROVE DISTRICT COUNCIL

STANDARDS COMMITTEE

28 APRIL 2008

**LOCAL ASSESSMENT – COMPOSITION OF THE STANDARDS COMMITTEE
AND CREATION AND COMPOSITION OF SUB-COMMITTEES**

Responsible Portfolio Holder	Councillor Roger Smith
Responsible Head of Service	Claire Felton – Monitoring Officer

1. SUMMARY

Members of the Standards Committee will be advised of the decision made by the Council on 23 April 2008 regarding the local assessment regime. The Standards Committee will be requested to implement the regime accordingly.

2. RECOMMENDATION

To effect the Council's decision on the implementation by the Standards Committee of the local assessment regime.

3. BACKGROUND

- 3.1 Members will recall that the Local Government and Public Involvement in Health Act 2007 changes the process by which complaints against councillors are handled; instead of complaints being made to the Standards Board to decide whether or not each complaint should be investigated, complaints will instead be received by the Standards Committee which will carry out this "local assessment" exercise together with another new role of reviewing those decisions, in addition to its existing role of making the final determination on cases.
- 3.4 Members of the Standards Committee will recall that in October 2007 they considered various options for the local assessment of complaints against councillors and made recommendations to Council. For ease of reference Appendix 1 sets out those options (pages 1-3 of Appendix 1) and the Standard Committee's recommendations (pages 4-5).
- 3.2 Those options were considered by the Council at its meeting on 23 April 2008; at the date of writing the report it is not known if they have been approved by the full Council and an update will be provided at the meeting.
- 3.3 The Standards Committee is requested to note and implement the decision of the Council. That decision includes the terms of reference for the sub-committees to be set up to deal with local assessment; at present, those

terms of reference are fairly vague, and it may be that following the publication of the regulations, Standards Board guidance and experience that they may need to be revised or set out in more detail.

- 3.4 It will be necessary to recruit an additional deputy parish representative to the Standards Committee/co-opted member of the sub-committees and this forms a separate agenda item.

4. FINANCIAL IMPLICATIONS

- 4.1 Pilot schemes have demonstrated that following the introduction of local assessment, the number of complaints made against councillors will increase and the number of complaints referred for investigation will significantly increase. This will have an impact on current resources, and it is for this reason that a new Ethical Standards Officer post has been created.

5. LEGAL IMPLICATIONS

- 5.1 The Local Government and Public Involvement in Health Act 2007 introduces the new local assessment system; regulations will be published in due course.

6. COUNCIL OBJECTIVES

- 6.1 Improvement – Customer Service. Complaints against councillors will be dealt with more locally and, once the new system has been embedded, more efficiently.

7. RISK MANAGEMENT

- 7.1 The main risks associated with the details included in this report are:
- *Loss of public confidence in the ethical standards of elected members.*
 - *Intervention by the Standards Board for England in the event of the local assessment regime not being satisfactorily implemented.*

- 7.2 These risks are being managed as follows:

Risk Register: *Legal, Equalities and Democratic Services*
Key Objective Ref No: 2
Key Objective: *Effective Ethical Governance*

8. CUSTOMER IMPLICATIONS

- 8.1 The new local assessment regime will be widely publicised in accordance with guidance to be issued by the Standards Board for England to ensure that the public are aware of how to make a complaint that a councillor may have breached the Code of Conduct. This is likely to include:

- Prominent and easy-to-navigate links on the Council’s website, especially on the ‘democracy’ and ‘councillors’ pages.
- Leaflets on display, and available in the Customer Service Centre, libraries and in the public areas of the Council House and from parish clerks and offices in the district.
- Posters and publicity in Citizens Advice Bureaux and community groups, including those serving people who are traditionally more difficult to reach.
- Articles in the local press.
- Leaflets put out at meetings.
- Publicity during Local Democracy Week and at other community events.
- Assistance for people with a disability or whose first language is not English.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 None.

10. VALUE FOR MONEY IMPLICATIONS

10.1 None.

11. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	Yes
Executive Director (Partnerships and Projects)	No

Executive Director (Services)	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	Yes
Corporate Procurement Team	Yes

13. WARDS AFFECTED

All Wards.

14. APPENDICES

Appendix 1 Options on local assessment considered by the Standards Committee on 18 October 2007 and its recommendations to Council

15. BACKGROUND PAPERS

- Report to Standards Committee meeting on 18 October 2007 - Local Filtering
- Report to the Council meeting on 14 November 2007
- Report to the Council meeting on 23 April 2008

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