

Standards Committee - 15th October 2008

Report of the Monitoring Officer

Annual Report of the Committee on Standards in Public Life 2007/2008

Purpose of Report

1. To consider the annual report of the Committee on Standards in Public Life 2007/2008.

Background

2. A copy of the Annual Report has been placed in the Members' Room. The Committee on Standards in Public Life is now chaired by Sir Christopher Kelly who succeeded Sir Alistair Graham in January 2008.
3. The remit of the Committee is wide-ranging but broadly it covers standards of conduct of all holders of public office whether elected or appointed.
4. Of particular interest to local government in this annual report are the references to Electoral Registration and Freedom of Information.

Electoral Registration

5. The Committee continues to have concerns regarding electoral registration which it states is "probably the most critical element of the electoral administration process." The report goes on to say that it is vital that "the electoral register and the system of electoral registration retain the trust and confidence of both the electorate and political parties."
6. Both the Committee and the Electoral Commission have been in favour of introducing individual registration in Great Britain as opposed to the current system where the householder of an individual property is required annually to identify those people living at the property who are eligible to vote.
7. Whilst the Government accepts this in principle, they argue that this is not the right time to introduce individual registration because it could lead to a substantial reduction in the numbers who register.
8. Whilst the current system is still in operation the Committee urges electoral administrators to make the registration system as comprehensive and accurate as possible within the limitations of the current household system.

Freedom of Information

9. The Committee continues to focus on the impact of freedom of information on good governance and other issues. The report summarises developments in this area during the year and highlights decisions by the Information Commissioner, the Information Tribunal and the High Court on issues such as the disclosure of policy advice to Ministers. Under the "public interest test" it was previously deemed that such advice would be exempt from a freedom of information request. However, the emerging case law now indicates that "clear, specific and credible evidence" must be provided that is case specific, in order to justify refusing disclosure.
10. This has implications for local government and other parts of the public sector because, presumably, the same principles would apply giving rise to a possibility that more and more confidential or sensitive advice might be given verbally rather than in writing.

Finance

11. There are no particular financial implications arising from this report.

Law

12. Section III of the Local Government Act 1972 enables the Council to do anything that is calculated to facilitate or is conducive or incidental to the discharge of any of its statutory functions.

Equality Impact

13. There are no equality impact implications arising from this report.

Recommendation

14. It is recommended that the Committee discuss and note the Annual Report of the Committee on Standards in Public Life.

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List of Background Papers

None.