

Standards Committee - 18th October 2007

Report of the Monitoring Officer

Annual Report of the Committee on Standards in Public Life

Purpose of Report

1. To consider the Annual Report of the Committee on Standards in Public Life 2006.

Background

2. A copy of the Annual Report of the Committee on Standards in Public Life 2006 has been placed in the Members' Room.
3. The Committee was established in 1994 under Lord Nolan and its Chairman from 2004-2007 was Sir Alistair Graham. The core terms of reference of the Committee are:-

“To examine current concerns about standards of conduct of all holders of public office, including arrangements relating to financial and commercial activities, and make recommendations as to any changes in present arrangements which might be required to ensure the highest standards of propriety in public life.”.

4. Originally the Committee was established because of public concern over the conduct of certain Ministers and MPs but its remit extends to the public sector as a whole, including local government.
5. This report will concentrate on those parts of the Annual Report that touch upon local government.
6. During 2006 the Committee on Standards in Public Life undertook a review of the Electoral Commission following which it made a number of recommendations. One of the recommendations was that a decision should be made and legislation developed to implement a system of individual registration (to replace the current system of household registration) immediately following the next general election or by 2010 at the latest. Any agreed system of individual registration should include at least one objective personal identifier such as the National Insurance number. This recommendation is still being considered by the Government.

7. The Committee also issued a report on the Ethical Standards Framework for Local Government. A number of its recommendations were accepted by the Standards Board for England and the Government, and were included in the new model Code of Conduct and the revised arrangements for dealing with complaints at a local level. The principal recommendations of the Committee were:-

- a move to locally based arrangements for the initial handling, investigation and determination of complaints by existing local Standards Committees for all but the most serious cases of alleged misconduct;
- a strengthening of the independent composition of local Standards Committees in preparation for their new role of complaint handling;
- changes to the Code of Conduct to make it more accessible to Councillors and the public;
- to remove unnecessary restrictions on Councillors representing their constituents: and
- to make a clearer distinction between private and official conduct; and
- that taken together these would enable the Standards Board for England to transform into a strategic regulator of the ethical framework.

8. I have had first hand experience of the work of the Committee because I was invited to give evidence to the Committee in 2005 as a representative of my professional association. Under the chairmanship of Sir Alistair Graham the Committee has had a very detailed understanding of the principal issues affecting the ethical framework for local government and its recommendations largely echo the views of my professional association which represents the vast majority of Monitoring Officers in England.

Finance

9. There are no financial implications arising from this report.

Law

10. The relevant provisions regarding the Members' Code of Conduct are contained in Sections 49-52 of the Local Government Act 2000 and Regulations made by the Secretary of State.

Equality Impact

11. This report complies fully with the Council's policies on equality and diversity. It is a significant requirement of the Code of Conduct that members do not discriminate against people on the grounds of race, gender, disability, religion of belief, sexual orientation and age.

12. There are no particular issues arising from this report with regard to children and young persons.

Recommendation

13. It is recommended that Members note this report and comment upon the work of the Committee on Standards in Public Life.

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Monitoring Officer

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List of Background Papers

1. Annual Report of the Committee on Standards in Public Life 2006.