

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO STANDARDS COMMITTEE

Agenda Item No.6

meeting date: 16 JUNE 2010
 title: REVIEW OF THE LOCAL STANDARDS FRAMEWORK
 submitted by: LEGAL SERVICES MANAGER
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1 PURPOSE

1.1 To inform Committee about recent recommendations following a review of the local standards framework, and if further information has been received by the date of the meeting to inform Committee about proposed changes to the standards regime.

1.2 Relevance to the Council's ambitions and priorities

- Council Ambitions - }
 - Community Objectives - }
 - Corporate Priorities - }
 - Other Considerations - }
- The Council aims to be a well managed Council. Consideration of the Review contributes to this objective.

2 BACKGROUND

2.1 The new ethical framework was introduced by the Local Government Act 2000.

2.2 The Act introduced three main factors; the Statutory Code of Conduct that applied to all Members and the creation of two new bodies, The Standards Board for England (which was to assess and investigate allegations of breaches of the Code of Conduct and The Adjudication Panel for England which would hear the more serious cases.

2.3 Further changes were made by the Local Government and Public Involvement in Health Act 2007 and, in particular, greater responsibility for ensuring compliance with the standards regime was transferred to local authorities.

2.4 The Standards Board (now known as Standards for England) now only investigates those complaints that are not suitable for local authorities to deal with themselves.

2.5 The new regime has been in operation for 18 months and in March 2010 Standards for England published a report which was entitled "Local Standards 2.0 – The Proportionality Upgrade? A Review of the Local Standards Framework".

2.6 The purpose of the review was set out in the introduction and were summarised as follows:

2.7 "This is a report into the operation of a system a year and a half after its introduction. The recommendations of this review are, we believe, timely. Its main intent is to review and refine how the local standards framework is working now that we all have some experience of it in practice".

2.8 A copy of the introduction to the report (the report is 36 pages long and can viewed in full on the Standards for England website or a copy can be obtained from the Legal Services Manager). The introduction to the report and executive summary are attached as Appendix 1.

- 2.9 The review was carried out in three stages. The first stage sought to identify key questions and issues.
- 2.10 The second stage was to address the issues through a combination of previous research and experience along with a specific consultation exercise undertaken for Standards for England by Teeside University together with consultation with some monitoring officers and Standards Committee members. Various national bodies were also consulted.
- 2.11 Stage 3 of the review involved the development of recommendations for improvement.
- 2.12 The recommendations of the Standards Framework are set out in an Appendix to the report and this is attached as Appendix 2 to this report.

3 ISSUES

- 3.1 Following the recent Parliamentary election the coalition Government issued a statement to the effect that it intends to abolish the Standards for England regime.
- 3.2 The Chair of Standards for England, Bob Chilton, has recently written to all independent Standards Committee Chairmen to advise independent members how to proceed.
- 3.3 The letter states “we do not currently have clear details of the scope or implications of this proposal”, ie the proposal to abolish the Standards Board Regime.
- 3.4 The letter urges Standards Committees to “continue with your statutory duties including the assessment of allegations and we (Standards for England) will continue to consider cases which you refer to us”.
- 3.5 As can be seen from Appendix 2 many of the recommendations made by the review of Local Standards Framework require primary legislation, however, some of the recommendations could be considered for implementation by the Council.
- 3.6 The purpose of considering the review is, therefore, to afford Committee an opportunity to implement such changes as they consider appropriate at this stage if any, and to consider how to respond in practice to the uncertainty about the future of the present Standards regime.

4 RECOMMENDED THAT COMMITTEE

- 4.1 Consider the recommendations in the report of the review of the Local Standards Framework.

BACKGROUND PAPERS

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For further information please ask for Diane Rice , extension 4418