
REPORT TO:	STANDARDS COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	28TH JULY 2005	CATEGORY: DELEGATED
REPORT FROM:	MONITORING OFFICER	OPEN
MEMBERS' CONTACT POINT:	ANDREA McCASKIE HEAD OF LEGAL & DEMOCRATIC SERVICES (EXT. 5831)	DOC: U:\JAYNE\Committee\COMMREP\IncrMembers Standards.doc
SUBJECT:	INCREASE IN MEMBERSHIP OF THE STANDARDS COMMITTEE	REF: AGM/JB
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 To recommend to Council an increase in the membership of the Standards Committee to 10 Members in the composition set out in the report.
- 1.2 To agree to appoint a further 2 Independent Members to the Council's Standards Committee.
- 1.3 To delegate to the Chief Executive the power to shortlist and interview applicants for the 2 positions of Independent Members to the Standards Committee using the advertisement, Overview of role and person specification approved by Council on 7th April 2005.
- 1.4 To bring a further report to Council recommending the appointment of a further 2 Independent Members to the Council's Standards Committee.

2.0 Purpose of Report

- 2.1 The Local Government Act 2000 required South Derbyshire District Council to establish a Standards Committee with at least 25% of Members being Independent Members. South Derbyshire District Council's Standards Committee is composed currently of 8 Members:-
 - (a) 3 Councillors, including the Chair of the Council, being two Members from the majority party and one Member from the minority party (District Council Members).
 - (b) 3 people who are not Councillors or Officers of the Council or on any other body having a Standards Committee, one of which will be the Chair of the Committee (Independent Members).
 - (c) 2 Members of Parish Councils wholly or mainly in the Council's District (Parish Members).

- 2.2 On 16th June 2005, Full Council appointed 3 Independent Members to the Council's Standards Committee for a period of 4 years.
- 2.3 On 19th January 2005, the Committee on Standards in Public Life published its tenth report "Getting the Balance Right: Implementing Standards of Conduct in Public Life". The summary report made a series of recommendations to Government to improve the effectiveness of arrangements introduced to ensure high standards of conduct in Local Government.
- 2.4 One of the recommendations directly affecting this authority – R19 – stated "*The Government should introduce, as a matter of urgency, secondary legislation to require a majority of Independent Members and an Independent Chair for Standards Committees and Sub-Committees in England*".
- 2.5 This Authority in 2004 amended the Constitution to reflect the need for the Chair of the Standards Committee to be an Independent Member of that Committee.
- 2.6 It is now proposed that this Authority should adopt further changes to the Constitution to increase the membership of the Standards Committee from 8 to 10 Members:-
- (a) 3 Councillors - District Council Members
 - (b) 5 people - Independent Members
 - (c) 2 Members of Parish Councils - Parish Members
- 2.7 An increase to 5 will ensure that the Independent Members have a majority on the Standards Committee, therefore enhancing and reinforcing the important role of the Independent Members on our Standards Committee. This will show once again that the Council is proactive in raising the standards of ethical conduct amongst Members and has in place arrangements that are designed not only to promote and ensure probity and propriety in the conduct of its business, but also be seen by the public to be so doing.
- 2.8 It is also anticipated that such a move will be relevant when assessing the Council's performance in the key lines of enquiry for the new "use of resources" block, which will be one of the main elements of the revised Comprehensive Performance Assessment regime.
- 2.9 If Members agree to increasing the number of Independent Member, it will be necessary to advertise in at least one or more newspapers circulating in the area of the Authority for 2 further Independent Members to sit on the Standards Committee.
- 2.10 It is proposed that the advertisement, Overview of role and person specification approved by Council on 7th April 2005 are utilised again in the four year appointments.
- 2.11 It is proposed that the Chief Executive Officer be authorised to carry out the shortlisting and undertake interviews with those applicants who meet both the legal eligibility criteria and the essential skills, knowledge and experience that will be assessed from their applications, as identified in the person specification.

- 2.12 The shortlisting and interview panel will comprise of the Chief Executive Officer, Head of Legal & Democratic Services and Head of Human Resources. Although the successful candidates will not become employees of the Council, it is considered best practice for the advertisement, shortlisting and interviews of candidates to be completed in line with the Council's Recruitment and Selection Procedure and Equal Opportunities Policy.
- 2.13 Following the interview, a provisional offer to the successful candidates will be made, explaining that the offer is subject to approval by Full Council.
- 2.14 A further report will then be brought to Full Council, providing details of the provisional successful candidates. At this stage, Members will be able to raise any objections to the decision-taking. If no objections are raised or the Chief Executive Officer considers that they are not material or well founded, the appointments will be confirmed. If an objection is considered to be material and well founded, then this will be further discussed with the interview panel and a decision will be taken on whether the appointment can continue.
- 2.15 It is a legal requirement that a person may not be appointed as an Independent Member of the Standards Committee unless the appointment is:-
- (a) approved by a majority of the Members of the Authority;
 - (b) advertised in one or more newspapers circulating in the area of the Authority;
 - (c) of a person who has submitted an application to the Authority;
 - (d) of a person who has not within the period of 5 years immediately preceding the date of the appointment been a Member or Officer of the Authority; and
 - (e) of a person who is not a relative or close friend of a Member or Officer of the Authority

3.0 Finance Implications

- 3.1 The successful candidates would be appointed for a period of 4 years and would be entitled to reimbursement of a Travel Allowance and Dependent/Childcare Allowance in appropriate cases.
- 3.2 Full Council accepted the recommendation of the Independent Remuneration Panel that a Co-optee Allowance was made to the co-opted Members of the Standards Committee. That is currently £267 for the period 2005/06.

4.0 Corporate Implications

- 4.1 It is a statutory requirement to establish a Standards Committee. Where the Standards Committee have more than 3 Members, at least 25% must be Independent Members. A meeting of the Standards Committee is not quorate unless at least 3 Members (including at least one Independent Member) of that Committee are present for its duration. By increasing the number of Independent Members to 5, a majority on the Committee, this will help to promote and ensure probity and propriety in the conduct of the Council's business.

5.0 Community Implications

- 5.1 The Council's Standards Committee plays a vital role in promoting and maintaining the highest standards of conduct by Councillors of South Derbyshire District Council and all the Parishes in its area.

6.0 Background Papers

- 6.1 None