

STANDARDS COMMITTEE - 14TH MARCH 2006

SUBJECT: STANDARDS COMMITTEE REGULATIONS 2006

REPORT BY: MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To inform Members of the present position with Standards Committee Amendment Regulations and to agree a response to the Consultation Document.

2. LINKS TO STRATEGY

- 2.1 The authority is under an obligation, through this Committee, to promote high standards of ethical behaviour, and these regulations assist with that duty.

3. THE REPORT

- 3.1 Members will be aware that we have been waiting for some time for regulations from the National Assembly to correct some shortcomings in the original Standards Committee Regulations. There has already been an informal consultation on the draft regulations; the Assembly has now formally consulting on a set of draft regulations which are at the moment due to be made in about June, and will come into force on 1st July 2006.
- 3.2 A copy of the Consultation Document and the Draft Regulations is attached at Appendix A.
- 3.3 The Regulation make two significant changes: -
- (a) to clarify an ambiguity in the existing regulation and to make it clear that in the absence of the Committee's Chairman the Vice Chair or another independent member is allowed to chair a meeting of the Standards Committee.
 - (b) to allow a local authority to appoint an independent member whose term of office is coming to an end, to a further consecutive term not exceeding 4 years. This addresses a practical problem being faced by local authorities all over Wales where their independent members are coming to the end of their term of office, and reflects the general view of independent members of Standards Committees expressed at the annual conference of Standards Committees in Wales, that as they gain experience, independent members in fact develop a greater degree of independence from the authority and so can contribute more positively to the work of the Standards Committee. The regulations also allow for a second term of office for a Community Council member of the Standards Committee.
- 3.4 There are additional regulations in relation to a sub-committee of a Standards Committee set up specifically to deal with Community Council business (this does not apply to the arrangements in Caerphilly where the Community Council member is a permanent member of the full committee) and sets out a process to deal with appointments of a Community Council member to a Standards Committee.

- 3.5 There is nothing controversial in the regulations, and their introduction is welcome as soon as possible. If the planned start date of 1st July remains in place then it will allow Caerphilly County Borough Council should it so wish to invite the more long-standing members of the Standards Committee to extend their period of office with the Standards Committee.
- 3.6 Members will see from the consultation letter that there will be further regulations later in the year listing certain grounds on which matters to be discussed before a Standards Committee can be prescribed as "exempt information" so allowing the Standards Committee to exclude the public from a meeting where that item is being discussed. This is part of a more general review of exempt information grounds in the light of the Freedom of Information Act, and will give Standards Committee helpful powers to exclude the public in particularly sensitive matters, particularly hearings in relation to the alleged breach of the Code of Conduct. A further report will be given to members once those regulations have been published.

4. FINANCIAL IMPLICATIONS

- 4.1 None

5. PERSONNEL IMPLICATIONS

- 5.1 None

6. CONSULTATIONS

- 6.1 There are no consultation responses which have not been reflected in the body of this report.

7. RECOMMENDATIONS

- 7.1 Recommended that: -

- (a) Members note the contents of the Draft Regulations;
- (b) Members agree that the Council's response to the consultation exercise is that the Council welcomes the regulations in their present draft format and has no comments on their content.

8. REASONS FOR THE RECOMMENDATIONS

- 8.1 In order to promote the statutory duty imposed on the Council through the Standards Committee.

9. STATUTORY POWER

- 9.1 Local Government Act 2000 and regulations made under the Act. This is a Council function delegated to the Standards Committee.

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Consultees: Chair, Standards Committee
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Background Papers:
None other than published documents.

Appendices:
Appendix 1 Consultation Document and Draft Regulations