



STANDARDS COMMITTEE
30 November 2009

JOINT STANDARDS COMMITTEES GUIDANCE

PURPOSE OF REPORT: to note

Introduction:

- 1 The Joint Standards Committee Guidance was published by Standards for England on 1 July 2009. It is attached as Annexe 1 for the Committee's information. Key headlines from the Guidance are summarised here.

Headlines:

Why set up a Joint Standards Committee?

- 2 The Guidance suggests:

"Joint arrangements are likely to be most useful where additional flexibility to deal with cases is needed, or where resources are limited and sharing them would benefit the successful management of the standards framework in that area".

- 3 Benefits of a joint standards committee:

- Avoidance of conflicts of interests through a wider pool of Members.
- Consistency of procedures.
- Public confidence in the complaints process through a greater "distance" between standards committees and complainants/ Subject Members.
- Greater capacity to meet the increased role and workload of standards committees under the local standards frameworks.
- Efficient and effective use of resources through sharing of resources and pooling expertise.
- Increased ability to promote high ethical standards through a raised profile of the standards committee.
- The ability to jointly commission and fund mediation, training and investigations.
- The opportunity to create stronger support and advisory functions.

- 4 Potential problems/issues of a joint standards committee:
- The possibility that it could become an overly bureaucratic and more complex process, leading to a lack of clarity for the general public.
 - Member resistance to joint standards committees.
 - Differing resource implications for authorities within the same joint working arrangement.
 - Loss of local ownership of standards and ethical issues.

Model Structures

- 5 Standards for England has identified three model structures for joint standards committees:

Model A: A joint standards committee to receive written allegations and requests for a review, and to decide what action to take with them – all other functions will be retained by the authorities own standards committees.

Model B: A joint standards committee to carry out the functions in Model A, along with receiving and considering final investigation reports and conducting hearings, making findings and imposing sanctions.

Model C: A joint standards committee to carry out all of the function of a standards committee – most appropriate for single purpose authorities such as police or fire authorities.

Functions

- 6 A joint standards committee can carry out any of the functions of a standards committee granted by or under Part 3 of the Local Government Act 2000 or Part 1 of the Local Government and Housing Act 1989. It cannot carry out other function that may have been conferred onto an authority's standards committee, for example overview of complaints handling and Ombudsman investigations.
- 7 If a joint standards committee exercises a certain function – that function cannot also be exercised by a standards committee of any of the authorities involved in the joint arrangement.
- 8 An authority cannot assign functions to a joint standards committee only to deal with particular complaints, e.g. to deal with dual-hatted Members.

Conclusions:

Financial and value for money implications

- 9 Any joint standards committee arrangements should be clear about how the financial expenses of the arrangements will be met. It is suggested that sharing resources and expertise would be an efficient and effective use of resources.

Equalities Implications

- 10 None.

Risk Management Implications

- 11 None

Implications for the Council's Priorities or Community Strategy/Local Area Agreement Targets

- 12 None

Recommendations:

Standards Committee to note the Joint Standards Committees Guidance.

Next steps:

None

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Sources/background papers:

Joint Standards Committee Guidance (www.standardsforengland.co.uk)