



AGENDA ITEM: 8

STANDARDS COMMITTEE

9 JUNE 2009

ANNUAL ASSEMBLY OF STANDARDS COMMITTEES 2009

RICHARD G LONG,

DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

PURPOSE OF REPORT

1. To present details of the 2009 Annual Assembly of Standards Committees and seek instructions in regard to attendance.

BACKGROUND

2. The 2009 Annual Assembly of Standards Committees will take place on 12-13th October 2009 at the International Convention Centre in Birmingham.
3. The event programme is entitled 'Bringing Standards into Focus. Delegates attend a mix of plenary, mini-plenary sessions, workshops, question and answer session, fringe events and a series of breakout sessions. A copy of the full event programme is appended to the report.
4. The fee for the two-day conference is £430 plus VAT per delegate. This includes conference materials and refreshments (Monday lunch and dinner, and Tuesday lunch). The fee for one-day attendance is £230 plus VAT per delegate. This includes conference materials and refreshments (Monday dinner and lunch on the day attended).
5. The two-day fee is for a single delegate, attending the conference for two days. If two separate delegates wish to attend one day each, the fee will be £230 plus VAT per delegate. It is not permissible to split delegate places. Any authority wishing to change a two-day delegate place to two one-day delegate places will be invoiced the balance of the fee.
6. As places for the Assembly fill up quickly, two places have already been reserved.

RECOMMENDATION

7. Members are asked to nominate two representatives to attend the event.

BACKGROUND PAPERS

Programme 2009 Annual Assembly of Standards Committees
Standards Board England website

AUTHOR

Maureen Braithwaite
Telephone: (01642) 729716

Item No 8

STANDARDS AND AUDIT COMMITTEE

22 JUNE 2009

SUBJECT:

**THE STANDARDS COMMITTEE (FURTHER PROVISIONS)
(ENGLAND) REGULATIONS**

REPORT BY:

DIRECTOR OF RESOURCES

LEAD

OFFICER:

**CAROLYN WHEATER, HEAD OF CORPORATE SUPPORT
SERVICES**

1. Purpose of Report

1.1 To update Members on the Standards Committee (Further Provisions) (England) Regulations 2009, which came into force on the 15 June 2009.

2. Background

2.1

Members are aware that from 8 May 2008 the procedure for assessment of complaints that a Member may have breached the Code of Conduct is to be dealt with by Standards Committees rather than being referred to the Standards Board for England. The above regulations now make further provisions to this local assessment; in addition the regulations give a right for Local Authorities to form Joint Standards Committees and clarifies the role of Standards Committees in relation to granting dispensations.

3. Suspension of Initial Assessment Functions

3.1

The above regulations now give the power to the Standards Board for England (SBE) to suspend the initial assessment functions into a breach of the Member Code of Conduct undertaken by a Standards Committee.

The circumstances when they can do this are as follows:

(a) Where the Standards Committee has failed to have regard to guidance issued by the Standards Board

(b) Where the Standards Committee has failed to carry out directions issued by the Standards Board

- (c) Where the Standards Committee has failed to carry out within a reasonable time or in a reasonable manner, the initial assessment of a complaint
- (d) The Monitoring Officer has failed to carry out within a reasonable time or in a reasonable manner, the initial assessment functions
- (e) The Authority invites the Standard Board to suspend initial assessment functions.

3.2

When the SBE intends to suspend the Authority's initial assessment functions it will notify the Authority, giving their reasons for doing so and asking for observations. If such a direction is made the Authority must publish details of it in a local newspaper and any other publication which the SBE thinks is appropriate.

Once the reason for the direction ceases to exist the SBE will revoke the direction.

4.

4.1

4.2

Joint Standards Committees

The regulations state that 2 or more authorities may now establish a Joint Standards Committee (JSC) to exercise joint standards functions.

The Joint Standards Committee will be able to deal with all or any of the functions of a Standards Committee but there can be no concurrent functions. All of the authorities which together establish a JSC must agree the terms of reference of the Joint Standards Committee and must send a statement which sets out the term of reference to the SBE.

The terms of reference must:

- (a) identify the functions which are to be discharged by the JSC
- (b) make provision for the administrative arrangements of the JSC
- (c) specify, for each Authority involved in the establishment of the JSC which Committee is the Standards Committee to which written allegations of breach of the Member Code of Conduct may be sent
- (d) specify the number of Members to be appointed to the JSC by the authorities establishing that Committee and make provision for the terms of office of those Members
- (e) make provision for the appointment of Members, by the JSC to Sub-Committees of that Committee
- (f) specify what provision is made for the payment of allowances to Members of the JSC
- (g) make provision for the procedure for an Authority to withdraw from the JSC upon service of notice.

4.3

4.4

The finances are to be shared as agreed by the authorities involved and in default of agreement decided by an arbitrator appointed by them.

The SBE is to produce guidance on Joint Standards Committees, which will include a draft constitution or terms of reference incorporating a template for the information required by the regulations.

5.

5.1

Dispensations

Currently the ability to obtain a dispensation to Members by the Standard and Audit Committee is for instances when more than 50% of the Members who would be able to vote are prevented from doing so by the Code of Conduct.

A new provision in the regulations clarifies that Members can seek a dispensation where the political balance of the meeting would be upset sufficiently to prejudice the outcome of the voting of the issue.

6.

6.1

Staffing

Any Joint Standards Committee may require resource from Committee and legal services.

7.

Legal Implications

7.1 As outlined in the report.

8.

8.1

Financial Implications

As outlined in the report, the expenses incurred in the establishing of a Joint Standards Committee shall be defrayed by the authorities establishing that Committee in such proportions as they may agree.

9. Recommendation

9.1

9.2

That Members note the report in relation to the power of the Standards Board for England to suspend initial assessment functions and the clarification of the power to grant dispensations.

In relation to the power to establish Joint Standards Committees, Members are asked for their initial views on this.

Access to Information:

Does the report contain exempt information, which would prejudice the public interest requirement if it was publicised?

No

List of Background

Papers:

Standards Committee (Further Provisions) (England)

Regulations 2009

Lead Officer: Carolyn Wheeler

Telephone 01522 873323

**Delivering the Goods: Local Standards in Action
Seventh Annual Assembly of Standards Committees
13-14 October 2008, ICC, Birmingham**

The Annual Assembly of Standards Committees is one of the most important events of the year for all those who work with the Code of Conduct.

Book your place now

Last year's conference was sold out – so don't delay and [book your place](#) today.

Are you ready to deliver the goods?

Are you ready to meet the challenges of the new local standards framework?

Have you got the right resources and the right processes in place to deliver effective local assessment of allegations and conduct watertight investigations?

If you want to develop an exemplary standards committee, promote good governance of partnerships and build better public confidence in your members, then Delivering the Goods is for you.

Getting it right

Delivering the Goods will get you up to speed with the essentials of local standards, explaining how to put the new framework into action. A comprehensive [programme](#) of plenaries and workshops will give you the advice, best practice examples and skills training you need to drive the standards agenda forward in your authority.

Last year, more than 97% of delegates who attended the conference said they found it useful. You can read more about what delegates to last year's conference said on our [testimonials](#) page.

Find out more

You can use this website to find out more about [what's on](#) at the conference. You can [book your place](#), and find out how to get to Birmingham, and [where to stay](#) in the city.

Over the coming months, more information will be added to this site, including speaker and programme updates, and the practical guidance you need to make your conference experience a success. So keep checking back for the latest news.

Monday 13 October: at a glance

08.30 – 10.00	Registration
09.15 – 10.00	<u>Getting up to speed</u>
10.15 - 11.15	Opening plenary
10.15 – 10.25	<u>Welcome</u>
10.25 – 10.40	<u>Supporting local standards</u>
10.40 – 11.00	<u>Local standards in action: The first six months</u>
11.00 – 11.15	<u>Over to you</u>
11.15 – 11.30	Comfort break
11.30 – 13.00	Breakout sessions
	<p>Delegates should select one of the following sessions:</p> <ul style="list-style-type: none"> • Alternative action masterclass <ul style="list-style-type: none"> • What went wrong? • Balancing act • Mind the gap: Setting standards for joint working <ul style="list-style-type: none"> • Delivering local assessment • Delivering local investigations <ul style="list-style-type: none"> • First response • The Code made clear • Communicating with communities • Questions and answers: New standards committee members <p>For more information about breakout sessions please click <u>here</u></p>
13.00 – 14.15	Lunch
14.15 – 15.30	Plenary
	<u>A higher level</u>
15.30 – 16.00	Refreshments
16.00 – 17.30	Breakout sessions
	<p>Delegates should select one of the following sessions.</p> <ul style="list-style-type: none"> • Alternative action masterclass

	<ul style="list-style-type: none"> • What went wrong? • Balancing act • Mind the gap: Setting standards for joint working <ul style="list-style-type: none"> • Delivering local assessment • Delivering local investigations <ul style="list-style-type: none"> • First response • The Code made clear • Communicating with communities • Questions and answers: Monitoring officers <p>For more information about breakout sessions please click here</p>
17.30	Close of day one
18.00 – 19.00	<u>Fringe events</u>
20.00 – 23.00	Conference dinner

Tuesday 16 October: at a glance

On this page, you can view at a glance the programme that ran on the second day of the Sixth Annual Assembly of Standards Committees.

Please click on the relevant session for more information.

[View day one of the programme at a glance](#)

08/00 - 09.00	Registration
09.00 - 10.30	<p>Breakout sessions</p> <p>Delegates should select one of the following sessions:</p> <ul style="list-style-type: none"> • In confidence • Keeping track of standards: Monitoring and support <ul style="list-style-type: none"> • Delivering local assessment • Delivering local determinations and setting standards • Joining the dots: Understanding corporate governance <ul style="list-style-type: none"> • Mediation in action • Planning ahead • The parish perspective • Focus on fire, police and park authorities • Questions and answers: Standards committee members <p>For more information about breakout sessions please click here</p>
10.30 - 11.00	Refreshments
11.00 - 12.15	<p>Plenary</p> <p>Making an impact</p>
12.15 - 13.30	Lunch
13.30 - 15.00	<p>Breakout sessions</p> <p>Delegates should select one of the following sessions.</p> <ul style="list-style-type: none"> • In confidence • Keeping track of standards: Monitoring and support <ul style="list-style-type: none"> • Delivering local assessment • Delivering local determinations and setting standards • Joining the dots: Understanding corporate governance

	<ul style="list-style-type: none"> • Mediation in action • Planning ahead • The parish perspective • Focus on fire, police and park authorities • Questions and answers: Standards committee members
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