

REPORT FOR: STANDARDS COMMITTEE

Date of Meeting: 26 April 2011

Subject: The future of a Standards regime at
London Borough of Harrow

Responsible Officer: Hugh Peart, Director of Legal and
Governance Services

Exempt: No

Enclosures: Appendix 1 - Discussion paper
Appendix 2 - Guidance note issued by
Local Government Improvement and
Development and the Association of
Council Secretaries and Solicitors

Section 1 – Summary and Recommendations

The Report addresses the options for maintaining high ethical standards in local government.

Recommendation:

That the Committee:-

Agree to set up a member and officer working party to consider and produce recommendations about the type and content of a future standards regime. Such working party to report back to the Standards Committee.

Section 2 – Report

1. At the Standards Committee on the 14 December 2010 Members received as part of the Chairman's Report an up date of the main highlights to be included in the proposed Localism Bill together with suggestions relating to what could take the place of the current standards regime once the regime is abolished in 2012.
2. Members at that meeting raised a number of issues which they felt needed to be addressed. These issues were:-
 - there was a view that Independent Members should be retained by any future Standards Committee to ensure objectivity and impartiality;
 - the Council could set its own standards and if there were any misdemeanours, there could be a public rebuke which would cause embarrassment for the Member concerned;
 - it was important for residents to feel confident that any complaint made against a Member, was dealt with comprehensively:
 - there was a desire not to be influenced by other authorities who may not wish to adopt a voluntary code of conduct or Standards Committee in the future.
3. Members resolved at that meeting that officers should prepare for Members a discussion paper which would be circulated to all the Groups for their views and comments on what they saw as the future of standards at Harrow. The discussion paper was circulated on 24 December 2010 and is attached at Appendix 1. The views and comments received will be reported verbally at the meeting.
4. In the intervening time since the last Standards Committee a helpful Guidance Note has been produced by Local Government Improvement and Development in conjunction with the Association of Council Secretaries and Solicitors entitled "Maintaining High Ethical Standards in Local Government" which gives a summary of changes that the proposed bill makes to the standards regime but it also goes on to outline the provisions that will remain in existence including criminal and civil law provisions following abolition of the current regime. This Guidance note is attached at Appendix 2 to the Report.
5. Many Local Authorities have local elections in May and are leaving their decisions as to the way forward for standards until after those elections. This should not impact on the decisions of this Committee and the Council

as it is clear that it will be for individual authorities to decide what best fits their Council and Communities.

6. The Association of Council's Secretaries and Solicitors are currently looking into drawing up a voluntary Code which Councils could opt to adopt. No further information is available as to the likely timescale of when a draft may be available for consideration.

7. The current views of some other London Boroughs are as follows:

Southwark

They are keen to keep a code in place and are looking into whether it would be possible to create a system of sanctions through the members allowance scheme

Camden

They are looking at keeping a simple code.

Waltham Forest

They prefer to keep the code in its current format other than essential changes so as to reduce confusion. They also may retain independent members and a committee. They have not decided in what capacity independent members will set

Brent

They wish to have a Code in place and if one could be agreed for London they would be supportive of this.

Hackney

They are likely to retain a local code and standards regime but will be considering all the options fully. They will be looking at what others are doing.

Richmond

They have taken the same view as Hackney.

Sutton

They are interested in a voluntary code but feel there needs to be sanctions in place and a way of monitoring conduct. They are considering undertaking a risk assessment to guide future arrangements.

8. The questions therefore that remain outstanding and that the Committee might wish to address are as follows:-

- Do the Council wish to adopt a voluntary Code of Conduct for Members to sign up to?

- Does the Council wish to retain a Standards Committee?
- Should Independent Members be retained and utilised by the chosen governing body? Consideration also needs to be given to the legal power to retain independent members and what roles they will be able to take on the committee.

Risk Management Implications

9. Failing to stay informed about developments in the standards framework may impact on the ability of the Standards Committee to perform its role to a high standard and plan for the future.

Relevant Objectives of the Standards Committee

10. This report contributes towards the objective of “Internal Control” to ensure strong ethical governance is in place.

Corporate Priorities

11. This Report is relevant to the corporate priority to united and individual communities: a council that listens and leads.

Financial Implications

12. There are no financial implications associated with this report.

Section 3 - Statutory Officer Clearance

Name: Steve Tingle	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 12 April 2011		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 12 April 2011		

Section 4 - Contact Details and Background Papers

Contact:

Jessica Farmer, Head of Legal Services – Legal Services, 0208 420 9889
Vishal Seegoolam, Acting Senior Professional – Democratic Services, 020 8424 1883

Background Papers: None

If appropriate, does the report include the following considerations?

1.	Consultation	NO
2.	Corporate Priorities	YES