

FUTURE CODE OF CONDUCT/STANDARDS COMMITTEE ARRANGEMENTS

20 July 2011: Colleagues will be aware of the provisions of the Localism Bill (Act) which includes the abolition of the current Standards for England regime. It is likely that Standards For England will cease to investigate complaints in late 2011 and will be formally abolished in early 2012. The Act will also remove the national Code of Conduct for Councillors and the requirement to have a Standards Committee and allow councils to choose whether or not they wish to have a local code or / and a Standards Committee. At Hillingdon, Members have expressed their desire to adopt a Local Code of Conduct based on, but not identical to, the current National Code. Would colleagues be kind enough to indicate:

Council	What, if anything, their authorities are intending to do in this regard? Is it intended to adopt a local Code and, if so, is there any indication of how this will differ from the current National Code?	In addition, have authorities given any regard to how such a local Code will be enforced?
Barking & Dagenham	Still awaiting before any formal view/decisions are taken.	
Bexley	Still awaiting the outcome of the revised legislation, but we are working towards the adoption of our own code and method of dealing with complaints received. Like others, the Independent members will form part of that process and future. We plan to take some ideas to Members in September.	
Brent	The last discussions showed that the 3 parties here wanted to retain some form of code and thought it would be preferable to wait and see if a London-wide draft code came forward from wider discussions taking place. I have not seen anything to allow me to see what differences there might be.	Similarly there has not been discussion on how it might be enforced although it was recognised that a local code would carry much less weight.
Bromley Bromley	No firm decisions as yet (some thinking about whether to keep a separate committee or to adapt ToR of another committee to incorporate ethical governance lead role).	

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<p>Ealing</p>	<p>As the legislation so not yet finalised, the Council's Standards Committee has considered a number of reports on the issue, and these can be accessed from the Council's website. At this stage, it seems highly probable that Ealing will continue with some sort of code.</p> <p>It feels premature for Ealing to draft its proposed code until after the Bill receives Royal assent. We are looking at the model code being drafted by ACSeS, but will only use this if it meets Ealing's needs.</p>	<p>Possibilities being discussed are recommendations from a continuing Standards Committee / Panel, for full Council censure or (less likely) suspensions of allowances.</p>

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GLA	<p>Here at the GLA, there is informal agreement to:</p> <ul style="list-style-type: none"> • Establishing a voluntary Code under the new regime (that will, as it stands, be virtually identical to the one we have now – which is of course based on the national model Code but which has a couple of additional paragraphs to deal with ‘local’ issues (ie the unique governance arrangements that exist here, in terms of the relative powers and roles of the Mayor of London and London Assembly)); • The operation/implementation of that Code (including decision-making powers) will then, under current plans, be delegated to the Authority’s Monitoring Officer (and it is likely that the Localism Bill will be amended in order to provide absolute clarity as to the GLA’s ability to grant such a delegation – which, as I understand it, is already available to all other councils); and • The Authority might well appoint a small number of independent people to give advice to the Monitoring Officer (yours truly) in terms of the discharge of those functions – so there could be, for example, informal assessment panels in respect of complaints (with the MO taking any final decision). Members have also made it clear that they expect there to be a significant threshold put in place in terms of the circumstances under which a complaint would be referred to formal consideration – in order to allow much greater discretion for the MO to refuse to progress trivial/vexatious complaints than currently exists. 	
Hammersmith & Fulham)	Members have agreed to wait for the regulations before they decide what to do.	
Hounslow)	At this stage, the London Borough of Hounslow's Standards Committee has expressed its own view that a local regime should continue.	
Kensington & Chelsea	Not sure at this stage	

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Kingston	<p>We are waiting to see what emerges from ACSeS' work on a London code and what support there is for this. If not then we will look at a local code or possibly one that works across the South London partnership.</p>	
Lambeth	<p>Want to put in place an alternative code so as to ensure ethical standards are maintained and indeed the duty to promote this under the Localism bill is met.</p> <p>The ACSeS are working on new Model Code of Conduct for Members, and it is expected this will be (at least) the basis of the Council's future code.</p>	
Sutton	<p>We have started the ball rolling with members to see what they want to do but no decision yet. If ACSeS or London Councils come up with a Code that looks as though it has general support I think it would at least get serious consideration. If we have a Code of Conduct then there has to be some procedure to deal with breaches of it, and of course it looks as though there will be a duty to promote good conduct. All that rather suggests there will still need to be some sort of standards committee.</p> <p>I think there may be some more Lords amendments on this subject after the recess so we do not have the final wording of the Bill yet.</p>	
Tower Hamlets)	<p>It's a bit early to say what we will do on this at Tower Hamlets. I am sure we will want to put in place a local Code and I would be surprised if it differs too much from the current Code. However no work has yet been done on the detail of this or on the questions around enforcement/sanctions etc.</p>	

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Waltham Forest)	<p>The Monitoring Officer in Waltham Forest will shortly be leaving to take up a new post elsewhere, and until a new appointment is made I am unable to give an indication in response to your query.</p>	
Wandsworth	<p>Wandsworth's position is set out in a paper to our Standards Committee last month (see link below) – essentially, it's a local code, continue with a Standards Committee with independent members (though meeting much less frequently) and procedures for dealing with complaints (and enforcement of any sanctions) yet to be developed. With the withdrawal of the statutory sanctions, we'll have to rely more on the political groups being supportive of the new regime.</p>	
Westminster)	<p>Broadly similar. Retain Standards Committee, with independent element and less complex processes.</p>	