

Standards Committee

17 February 2012

Progress of the Localism Act Provisions relating to Standards



Report of Colette Longbottom, Head of Legal and Democratic Services

Purpose of the Report

1. To update Members of the Standards Committee on the progress made in relation to establishing a new ethical framework for Durham County Council.

Background

2. Members will recall that an item was considered at the meeting of the Committee held on 18 November 2011 regarding recent changes which had been made to the Localism Bill in the House of Lords.
3. Those changes included the obligatory requirement for all Local Authorities to have a Code of Conduct. The amendments also required Local Authorities to appoint an independent person through a transparent process and where a Local Authority has investigated an allegation it must seek the independent person's view before reaching a decision about the allegation. Since receiving Royal Assent it has become apparent in way the Localism Act has been worded, that current independent members of a council's standards committee are disqualified from being the new independent person in their current council. This also applies to anyone who has served as an independent member of a council's standards committee in the last five years.
4. Following inception of the Localism Act the Local Government Authority (LGA), having originally resolved to have no involvement in the production of a draft Code of Conduct, has now indicated that it will produce a model Code, although a timescale for this is yet to be established.
5. It is understood that the Association of County Secretaries and Solicitors have passed to the LGA a draft Code of Conduct which they have prepared.
6. In the meantime the Head of Legal and Democratic Services has prepared a report which is due for consideration by full Council on 21 March 2012, which will propose the next steps forward for the Authority.

Recommendations

7. It is recommended that the Standards Committee notes the content of the report with a view to receiving further updates in due course.

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