

Bath & North East Somerset Council

MEETING:	Council
MEETING DATE:	19 th July 2012
TITLE:	The New Standards Regime
WARD:	ALL
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
1. Draft Code of Conduct.	

1 THE ISSUE

- 1.1 Following discussions with the Standards Committee Members, to present to Council a draft Code of Conduct for approval.

2 RECOMMENDATION

Council is asked to agree that:

- 2.1 The Code of Conduct attached is approved.

3 FINANCIAL IMPLICATIONS

- 3.1 The new Standards Regime, in its remit, is broadly similar to the arrangements that were in place prior to the 1st July. In particular, the Council remains responsible for holding the Registers of Interests of Parish and Town Councils and is responsible for dealing with complaints both against members of this Council and members of the Parish and Town Councils.

- 3.2 It is envisaged that the system to be operated by the Council for investigating and resolving complaints could be simpler than the arrangements that were imposed prior to the new arrangements. There should accordingly be no additional budgetary implications.

4 CORPORATE OBJECTIVES

- 4.1 It is considered important for the purpose of public confidence in Local Government that these arrangements should be in place.

5 THE REPORT

- 5.1 The Localism Act 2011 put in place a new series of arrangements for dealing with complaints about member conduct at both this Council and Parish and Town Councils within the area.

- 5.2 The Council has already considered some aspects of the arrangements and has decided that a Standards Committee should be created and its terms of reference were agreed at the Annual General Meeting.
- 5.3 The precise arrangements as to how complaints will be dealt with will be a matter for the Standards Committee to decide in due course. Council has a role to play both in creating the Committee and in approving a Code of Conduct for elected and co-opted members.
- 5.4 The draft Code of Conduct attached to this report has been the subject of consideration by the Committee and Group Leaders. There are a number of Model Code of Conducts available and the one proposed is an adaptation of one of the Model drafts that has been produced.

6 RISK MANAGEMENT

- 6.1 No risk assessment has been undertaken as it is necessary for the Council to put in place these arrangements and to prove a Code.

7 EQUALITIES

- 7.1 One of the key features of the new Standards regime is the need for it to comply with the principals of public life approved by the Nolan Committee. It is a specific requirement of the Code proposed that elected and co-opted members should comply with Equalities Law requirements and treat all members of the community equally.

8 CONSULTATION

- 8.1 Consultation has taken place with members of the Standards Committee and Group Leaders, the Chief Executive and the section 151 Officer. Consultation was carried out at meetings and by e-mail discussion.

9 ISSUES TO CONSIDER IN REACHING THE DECISION

- 9.1 There are no specific issues to consider in reaching the decision. There are a number of possible options for inclusion in a draft Code and these have been the subject of consideration.

10 ADVICE SOUGHT

- 10.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	<i>Vernon Hitchman, Monitoring Officer and Divisional Director (Legal & Democratic Services) – 01225 – 395171 and Sue Toland, Chair of the Standards Committee</i>
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Background papers	<i>Draft Model Codes</i>
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