

CHESHIRE EAST COUNCIL

REPORT TO: STANDARDS COMMITTEE

Date of Meeting:	28 March 2011
Report of:	Monitoring Officer
Subject:	Improvements and Issues Working Group

1.0 Report Summary

- 1.1 This report gives an update on the work being undertaken by the “Improvements and Issues” Working Group and invites the Committee to consider proposals for the future following the dismantling of the current Standards regime. The notes of the Group’s meeting held on 22 February 2011 are attached.

2.0 Recommendation

- 2.1 The Committee is invited to consider the Working Group proposals.

3.0 Reasons for Recommendations

- 3.1 High standards are a cornerstone of good governance.
- 3.2 The Council has a duty to the community to provide a mechanism for the submission of complaints.
- 3.3 The introduction of an alternative mechanism for submission of complaints against Borough Councillors/Town and Parish Councillors will ensure public confidence in the way in which complaints are handled.
- 3.3 The proposals represent a more streamlined system which is transparent and will also protect Members from vexatious complaints.

4.0 Wards Affected

- 4.1 Not applicable.

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications

- 6.1 None identified.

7.0 Financial Implications

- 7.1 None identified.

8.0 Legal Implications

- 8.1 The Localism Bill which is currently progressing through Parliament, and the consequent action outlined in Section 10 below provides the legal background to this issue.

9.0 Risk Management

- 9.1 The development of an alternative voluntary Code of Conduct will strengthen governance arrangements and ensure compliance with the duty to promote and maintain high standards of conduct for members and co-opted members.

10.0 Background and Options

- 10.1 The Improvements and Issues Working Group was set up as an informal group of Members of the Standards Committee in 2009/2010 to address in detail a variety of issues. It has no decision-making powers. The Working Group has reported back to the full Committee with any findings, if appropriate.
- 10.2 At its meeting on 24 January 2011, the Standards Committee considered two reports i) Future of the Standards Regime and Standards Committee; and ii) Conduct of Local Authority Members – Correspondence from CLG, which outlined plans set out in the Localism Bill to dismantle the current local government standards regime. In order to give detailed consideration to the issues raised in the reports, a meeting of the Improvements and Issues Working Group was convened on 22 February 2011.
- 10.3 In addition to the reports referred to above, the Local Government Association (LGA) in association with the Association of Council Secretaries and Solicitors (ACSeS) had issued a short guide for authorities “Maintaining High Ethical Standards in Local Government”. The Guide summarised the Bill’s standards regime proposals and outlined the conduct controls which exist in addition to it.
- 10.4 Much of what has been suggested by the ACSeS was considered by the Working Group which supports the introduction of a Code of Practice, following wide consultation, with a simple, inexpensive democratically-run committee to deal with complaints quickly, transparently and fairly.

10.5 The Working Group's conclusions are given in paragraph 4 of the attached notes and the Committee is invited to consider these.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Julie Openshaw
Designation: Deputy Monitoring Officer
Tel No: 01270 685846
Email: julie.openshaw@cheshireeast.gov.uk