

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

Standards Committee

17th May 2010

1. **STANDARDS FOR ENGLAND - "LOCAL STANDARDS 2.0 - THE PROPORTIONALITY UPGRADE? - A REVIEW OF THE LOCAL STANDARDS FRAMEWORK"**

Report of the Monitoring Officer.

RECOMMENDED

THAT Members note the contents of the report and consider any issues for the Authority.

2. **PURPOSE OF REPORT**

- 2.1 The purpose of the report is to bring to Members' attention a document published by the Standards Board for England in March 2010 which reviews the local standards framework and to facilitate a discussion on any future implications for the Authority.

3. **BACKGROUND**

- 3.1 The Standards Board for England has reviewed the local standards framework and reported into the operation of the system a year and a half after its introduction. The report "Local Standards 2.0 - the proportionality upgrade?" is attached at Appendix 1.
- 3.2 The report concludes that the local standards framework is working and that it is both having a positive influence on behaviour and generating confidence that bad behaviour will be dealt with. There are difficulties which can be fixed by improving effectiveness and redressing proportionality to offer a better alignment of nature of behaviour, degree, cost and clarity of process and sanction or outcome. As well as making recommendations the Standards Board for England reflects on its future role as strategic regulator. It suggests developing its training role particularly in relation to independent chairs. It also seeks power to investigate allegations that Chair/Vice-Chair of a Standards Committee was not acting impartially or was performing poorly and to remove them if appropriate.

3.3 The report contains 17 recommendations including proposals for:

- More streamlined local assessment - arrangements to more easily dismiss trivial and less serious complaints, saving on time, money and burdensome process.
- An enhanced role for independent chairs and vice chairs - in the assessment of complaints and the progress of investigations, with counterbalancing extra power for the national regulator to investigate and if necessary remove poor performing or partisan chairs.
- A new power for standards committees to be able to halt investigations, if they have good reasons.
- A commitment to greater transparency for members who are the subject of complaints.
- The need to develop an approach which allows better understanding and management of costs associated with the operation of the framework.

3.4 The review has been sent to the Department for Communities and Local Government for their consideration. Many of the recommendations will require legislative or regulatory change although some can be brought in by the Standards Board for England without this.

4. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out.

5. **LEGAL IMPLICATIONS**

5.1 The Local Government Act 2000 contains the main enabling provisions for the ethical framework and the standards regime, including for the Standards Board for England, the Standards Committee and the local framework. The framework has continued to change and develop and this review now proposes further changes in the light of experience of the local assessments etc. The government has yet to consider the report and its recommendations and these may or may not translate into legislative changes in due course. In general, greater

proportionality, streamlining, and more transparency are to be welcomed.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications at this stage arising directly from this report .

**N SHARMA
MONITORING OFFICER**