

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

Standards Committee

11th February 2008

1. **CONSULTATION ON ORDERS AND REGULATIONS RELATING TO THE CONDUCT OF LOCAL AUTHORITY MEMBERS IN ENGLAND**

Report of the Monitoring Officer.

RECOMMENDED

THAT members consider the “Consultation on Orders and Regulations Relating to the Conduct of Local Authority Members in England” and suggest any comments and response that should be made to the Department for Communities and Local Government by the Monitoring Officer on their behalf.

2. **PURPOSE OF REPORT**

This report is submitted to inform members of the “Consultation on Orders and Regulations Relating to the Conduct of Local Authority Members in England” and to enable them to suggest a response to the Department for Communities and Local Government.

3. **BACKGROUND**

- 3.1 Part 10 of the Local Government and Public Involvement in Health Act 2007 changes the Local Government Act 2000 to provide for a revised ethical conduct regime for local government. The Government intends for the changes to come into effect in Spring 2008.
- 3.2 In order to implement the revised regime the Government needs to put in place detailed arrangements to allow standards committees and the Standards Board to undertake their new roles.
- 3.3 These arrangements need to cover:
- The operation of standards committees’ powers to make initial assessments of misconduct allegations.

- The operation of other functions by standards committees and the Adjudication Panel in issuing penalties and sanctions.
- The operation of the Standards Board's revised strategic role to provide supervision, support and guidance for the regime.
- Other matters, i.e. the rules on the issue of dispensations, the issue of exemptions of posts from political restrictions and the pay of local authority political assistants.

3.4 On 3rd January 2008 the Department for Communities and Local Government published a consultation paper "Consultation on Orders and Regulations Relating to the Conduct of Local Authority Members in England" and is seeking views on the proposed detailed arrangements for putting into effect the orders and regulations to provide a revised more locally-based ethical regime for the conduct of members. The paper includes particular questions on which the government would welcome comments. The consultation paper is attached to this report as Appendix 1 with the specific 16 questions set out at the end of the paper. Responses are required by 15th February 2008.

3.5 The consultation paper sets out for each of the issues set out in 3.3 the purpose of the provisions and the proposals for how the rules should operate through appropriate regulations and orders under the Local Government Act 2000.

3.6 It is important for the Standards Committee to consider the detailed proposals and how they may impact on the authority and the workings of the Standards Committee and to comment as appropriate. The Monitoring Officer will assist members during their consideration of the matter.

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 LGPIHA 2007 has made substantial changes to the ethical standards framework and increased the duties and responsibilities to be discharged at the local level.
- 5.2 Implementation of the changes first requires secondary legislation that will provide the necessary detail and definition in relation to the proposals. The Government is now consulting on this

6. **FINANCIAL IMPLICATIONS**

Implementation of the provisions will mean increased work for the Monitoring Officer and the Standards Committee and this may in due course require a review of the resources needed to properly service the revised ethical standards framework.

BACKGROUND PAPERS

Consultation on Orders and Regulations Relating to The Conduct of Local Authority members In England – Department for Communities and Local Government.

N SHARMA
MONITORING OFFICER