

Agenda Item no. 5

Title: **Appointment of Sub-Committees - Local Assessment**

Reporting Officers: **Tim Darsley, Corporate Director**
Nicola Mathiason, Head of Legal Services

Purpose

To appoint three Sub-Committees to enable the Standards Committee to carry out its new responsibilities under the Local Government & Public Involvement in Health Act 2007 ("the Act").

Background

The Act introduces changes in the way that allegations of breaches of the Code of Conduct are dealt with. Regulations came into force on 8 May 2008 bringing these changes into effect. The Standards Committee will make initial assessments of any complaints that the Council receives about breaches of the Code of Conduct by Members. It will also be responsible for deciding whether any action should then be taken. If the decision is that no action should be taken, the complainant can require that this decision is reviewed. Where a complaint is referred for investigation, then a local hearing will be held.

Key Issues

The Standards Committee will therefore have three roles:

1. receiving and assessing complaints.
2. reviewing local assessment decisions.
3. conducting hearings following an investigation into the complaint.

At its meeting on 12 February the Standards Committee confirmed that it wished to increase the size of the Standards Committee to twelve members in order to appoint three sub-committees to carry out the above three roles. This recommendation was referred to Full Council on 20 February. The Council agreed to the increase in size. The new members were appointed to the Standards Committee at the Council's Annual Meeting on 14 May.

Under S.54A of the Act and in accordance with Article 9.05 of the Council's Constitution the Standards Committee can appoint the sub-committees to carry out the three roles referred to above. It is a requirement of the Regulations that each sub-committee must be chaired by an independent member and must have at least one town or parish council member.

At its meeting on 12 February the Standards Committee confirmed that it wished to see three sub-committees made up of one independent, one town/parish councillor and one district councillor. Substitutes would be drawn from the remainder of the Standards Committee. This would give sub-committees certainty and objectivity, whilst drawing substitutes from the remaining members gives flexibility in covering unavailability.

Effects on Strategies and Codes

None.

Risk Management Implications

The Council is required by law to put in place a system for the local assessment of complaints and to operate that system in accordance with the Regulations.

Financial Implications

There are no significant financial implications in appointing the sub-committees.

Recommendation

It is recommended that:

- (a) an Assessment Sub-Committee be appointed to assess complaints, a Review Sub-Committee be appointed to review assessment decisions and a Hearing Sub-Committee be appointed to hold hearings.