

**REPORT TO:** Standards Committee

**DATE:** 11<sup>th</sup> November 2009

**REPORTING OFFICER:** Strategic Director Corporate & Policy

**SUBJECT:** Standards for England Round Up

**WARDS** N/A

## **1.0 PURPOSE OF THE REPORT**

1.1 To bring Members of the committee up to date with the latest news from Standards for England

## **2.0 RECOMMENDATION**

2.1 That the Report be noted

## **3.0 SUPPORTING INFORMATION**

3.1 Since the last meeting of this Committee, Standards for England has released Bulletin 45 which is attached at Appendix 1 and can be accessed by the following link –  
<http://www.standardsforengland.gov.uk/publications/thebulletin>.

The proposed revised Code of Conduct for Members will be ready in late Autumn 2009. It is not anticipated that there will be many changes to the Code. The main issue will be the proposal to allow the Code to cover Members in their non official capacity, where conduct would amount to a criminal offence.

Standards for England have been advised that further consultation on the introduction of a Code for Officers is likely to take place in 2010.

3.2 The Bulletin provides clarification on imposing sanctions in respect of breaches of the Code. Regulation 19 of the Standards Committee (England) Regulations 2008 lists the eleven sanctions available to a Standards Committee. The Bulletin reminds Members that Committees must be careful that any sanctions to be imposed are included in this list. For example, a verbal apology is not listed and will not be a valid sanction. Whilst written apologies are acceptable, guidance is given in the Bulletin as to how to go about ensuring that the sanction is effective. It further points out that if a Member fails to issue a written apology, then he or she may face a further complaint of potentially bringing their office or authority into disrepute.

- 3.3 The Bulletin reports a significant decision made by the President of the Adjudication Panel for England on July 23<sup>rd</sup> 2009 in the case of a former Councillor of Somerset County Council.

The judgment is important as it is the first occasion that Adjudication Panel have had to deal with a potential breach of paragraph 3(2)(c) of the Code of Conduct which concerns the intimidation of or an attempt to intimidate a complainant in a Code of Conduct investigation. Members' attention is drawn to the synopsis of the case in the Bulletin. The full decision of the Adjudication Panel can be accessed on its web site.

#### **4.0 POLICY IMPLICATIONS**

- 4.1 None

#### **5.0 OTHER IMPLICATIONS**

- 5.1 None

#### **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

- 6.1 Children and Young People in Halton – None
- 6.2 Employment and Learning and Skills in Halton – None
- 6.3 A Health Halton – None
- 6.4 A Safer Halton – None
- 6.5 Halton's Urban Renewal - None

#### **7.0 RISK ANALYSIS**

- 7.1 No key issues have been identified which require control measures

#### **8.0 EQUALITY AND DIVERSITY ISSUES**

- 8.1 The report of itself does not contain specific Equality and Diversity Issues.

#### **9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

- 9.1 None