



St Edmundsbury  
BOROUGH COUNCIL

# B368

## Council 14 December 2010

### CHAIRMAN'S REPORT STANDARDS COMMITTEE

#### *Written report by Viscount Leathers Chairman of the Standards Committee*

#### **1. Background**

- 1.1 St Edmundsbury's Borough and Parish Councillors continue to cause very few complaints. So far in 2010 we have received nine complaints, all have been against Parish or Town Councillors; none against Borough Councillors. Four were ones where the Committee decided no action needed to be taken; the complainant of one has requested a review of this decision. Of the remaining five complaints, three concerned the same Parish Council, are related, and were referred for joint investigation, another is complete and will come before the Committee soon and the remaining one has been carried out by Forest Heath District Council (FHDC) and we await the final version of the report.
- 1.2 This is where in Suffolk the informal partnering of Committees comes into its own; FHDC is considering the above review and has carried out an investigation for us. We have reciprocated by undertaking investigations for Forest Heath, Waveney and Suffolk Coastal District Councils.

#### **2. The future of Standards**

- 2.1 The ninth Annual Assembly of Standards Committees, due to be held in Birmingham in October 2010 under the auspice of Standards for England (SfE), was cancelled due to the Government Spending Review and the Coalition's intention to end the Standards regime.
- 2.2 The future of the Standards regime continues to be uncertain. The Government has described the current system as a *"top-down regime...[which] had become a vehicle for malicious and frivolous complaints"*. Communities Minister, Andrew Stunell, said that the *"entire Standards regime including the central board"* would be abolished.
- 2.3 The Government believes that cases where Councillors behave ineffectively or irresponsibly are matters for the electorate to deal with through the ballot box.

2.4 Other intentions are, *inter alia* to:-

- (a) legislate to make serious misconduct, such as failing to register an interest, or deliberately misleading the public about an interest, a criminal offence dealt with by the courts;
- (b) abolish the centrally-prescribed Code of Conduct;
- (c) give more powers to the Local Government Ombudsman, to compel local authorities to implement his findings in cases he has investigated; and
- (d) maintain the requirement that Councillors have to register certain personal interests in a publicly available register.

2.5 But without the Code, officers who are on the receiving end of bad behaviour by Councillors may have as their only form of redress a case against the whole Council through an Employment Tribunal, arguably more cumbersome and expensive. However, members of the public who are badly treated by Councillors may have no source of redress. The anonymity of such misconduct is hardly conducive to being an election issue so may be ignored at the ballot box.

2.6 The proposals have not yet come forward in the form of a bill, the Decentralisation and Localism Bill, which is expected before Christmas. The timetable for implementation is not likely to be before next autumn, and the current provisions will, therefore, continue until they are specifically repealed or replaced.

### **3. Conclusion**

3.1 I still believe that St Edmundsbury Members exhibit a professional ethos which deserves the confidence of the community. The Committee itself continues to work in a united, constructive and ethical way, and I would again thank the Monitoring Officer and her team for their knowledgeable and constructive assistance. Until reorganisation, the Committee will continue to be active, following the principle that the system for which we are responsible in St Edmundsbury should be sincere, open-minded and impartial