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**WEST SUFFOLK  
JOINT STANDARDS  
COMMITTEE**

**17 JUNE 2013**

**JST13/002**

**Report of the Monitoring Officer**

**THE NEW STANDARDS REGIME – UPDATE AND THE APPOINTMENT OF INDEPENDENT PERSONS**

**1. Summary and reasons for recommendation(s)**

- 1.1 Both St Edmundsbury Borough Council and Forest Heath District Council have implemented the new Standards and Ethics regime since it was introduced in July 2012.
- 1.2 A necessary part of the new system is the requirement to appoint one or more Independent persons. Each Council appointed for different periods, and now the term at both authorities needs to be aligned for the efficient working of the Joint Committee.
- 1.3 Future arrangements for the appointment of Independent Persons after the initial period of appointment need to be agreed and the Committee is asked to consider this and recommend to Council the process to be adopted

**2. Recommendation(s)**

- 2.1 **Note the position with regard to the implementation of the new Ethics regime**
- 2.2 **Acknowledge the need to align the arrangements for the appointment of Independent Persons at both authorities for the efficient working of the Joint Committee.**
- 2.3 **Agree to extend the appointment of the Independent persons at Forest Heath District Council (FHDC) for a further year at most, pending the completion of any recruitment process.**
- 2.4 **Agree to the Appointment process for Independent Persons going forward**

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### **3. Corporate priorities/Strategic Priorities**

3.1 The recommendations meet the Councils' priorities for the efficient operation of the authorities

### **4. Key issues**

4.1 The new Standards and Ethics regime was instituted from 1 July 2012.

4.2 Both St Edmundsbury and Forest Heath have implemented the new regime. The new Suffolk Code of Conduct was introduced and adopted by Town and Parish Councils across the area as well as by the two principal authorities. Training was provided on the new System. Parish, Town and District and Borough members have completed the required Register of Interests and these have been made available on the Council's web sites as required.

4.3 There have been no complaints made to either Council under the new Code of Conduct. A brief survey of other Suffolk Councils shows that the following is the position as to number of complaints in other areas:

	Received	Investigations
Waveney	3	0
Suffolk Coastal	2	0
Mid Suffolk	3	0
St Edmundsbury	0	0
Forest Heath	0	0
Babergh	12	3
Ipswich	0	0
Suffolk County	3	0

### **Independent Persons**

4.4 A necessary part of the new system is the requirement to appoint one or more Independent Persons (IPs). The role of the IPs is to be consulted on new complaints when reaching the decision to investigate, and to assist at other stages of the process, including reviewing the result of an investigation.

- 4.5 Eight IPs were recruited across Suffolk through a joint exercise undertaken by all principal authorities. This provided resilience and flexibility by allowing sufficient resource to fulfil the multiple roles of the IPs. It also permitted a saving in the costs of recruitment and the cost of using the IPs for cases. All of the current IPs received training arranged by Suffolk Monitoring Officers last year.
- 4.6 At SEBC, the IPs were appointed for up to two years. FHDC appointed them for a term of 12 months, and expressed the hope that a recruitment process for replacement IPs would result in a more representative and diverse group being appointed.
- 4.7 A further process for selection has not yet been undertaken. The Committee is asked to consider the way in which it wishes to proceed with this and the appropriate timescale. The options are to remain in the Suffolk Pool or take steps to appoint its own IPs.
- 4.8 Staying in the joint Suffolk arrangement will result in reduced costs, as outlined above. It will inevitably mean that there will be less independence of decision as the appointments will have to be agreed by all parties. The alternative will involve sharing between the two authorities the cost of advertising the roles (a statutory requirement) and the process of appointment.
- 4.9 To give some resilience and permit the cover needed for the various roles it would be necessary to appoint more than one IP.
- 4.10 In the interim it is practical for the appointment of the existing panel to continue. This will mean extending the one year appointment at FHDC to two years to align with the position at SEBC and the Committee is asked to recommend this.

## **5. Other options considered**

- 5.1 The adoption of the Standards regime is a statutory requirement. The Councils considered having separate Standards Committees but this meant unnecessary duplication of effort.

## **6. Community impact**

### **6.1 Crime and disorder impact** *(including Section 17 of the Crime and Disorder Act 1998)*

- 6.1.1 There is no Crime and Disorder impact

### **6.2 Diversity and equality impact** *(including the findings of the Equality Impact Assessment)*

- 6.2.1 There is no Diversity and Equality impact

### **6.3 Sustainability impact** *(including completing a Sustainability Impact Assessment)*

- 6.3.1 There is no Sustainability Impact

6.4 **Other impact** *(any other impacts affecting this report)*

6.4.1 All Impacts are referred to in the consideration above

7. **Consultation** *(what consultation has been undertaken, and what were the outcomes?)*

7.1 Full Council at both authorities agreed to the establishment of the joint Standards Committee and will receive the recommendations from this report

8. **Financial and resource implications** *(including asset management implications)*

8.1 The operation of a Joint Committee will reduce costs for the councils.

9. **Risk/opportunity assessment** *(potential hazards or opportunities affecting corporate, service or project objectives)*

<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Ineffective Standards regime resulting in loss of public confidence in integrity of councils	Medium	Establishing a strong Committee to advise on and monitor the implementation of the Standards regime	Low

10. **Legal and policy implications**

10.1 The Council is obliged to uphold standards of conduct and promote ethical behaviour under the Localism Act 2012.

11. **Ward(s) affected**

11.1 All.

12. **Background papers**

12.1 None.

13. **Documents attached**

13.1 None.