
**ANNUAL REPORT OF THE STANDARDS COMMITTEE
CHAIR: MIKE AIREY**

**Responsible Cabinet Member - Councillor Chris McEwan, Efficiency and
Resources Portfolio**

Responsible Director - Paul Wildsmith, Director of Resources

SUMMARY REPORT

Purpose of Report

1. The purpose of this report is to present to Members of Council the Annual Report of the Standards Committee.

Summary

2. Each year the Standards Committee presents its Annual Report to Council.
3. The Annual Report reviews the work undertaken by the Committee in 2010. It also sets out the programme of work that the Committee intends to undertake in 2011 and provides details of particular issues and developments that are anticipated in 2011.
4. The Annual Report helps the Authority itself to monitor the work of the Committee and is also a useful method of communicating and highlighting the work done by the Standards Committee to Members and the wider public.

Recommendation

5. Council are requested to receive and note the Annual Report of the Standards Committee.

Reasons

6. The recommendations are supported by the following reasons:
 - (a) To enable the Authority to receive information about the work of the Standards Committee.

- (b) To enable the Standards Committee to advise the Council about how to improve public trust in the organisation.

Catherine Whitehead
Assistant Director, Resources

Background Papers

No Background papers were used in the preparation of this report.

Appendix

Standards Committee Annual Report 2010

Catherine Whitehead : Extension 2306
TAB

S17 Crime and Disorder	There are no implications for Crime and Disorder
Health and Well Being	There are no implications for Health and Wellbeing
Carbon Impact	There are no specific issues in relation to carbon impact.
Diversity	There are no specific issues in relation to diversity
Wards Affected	All
Groups Affected	All
Budget and Policy Framework	The report does not propose amendments to the Council's budget and policy framework. The report is required to be referred to Council.
Key Decision	This is not an executive decision
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly Placed	The ethical agenda and the promotion of trust and confidence in the organisation support all of the objectives of the Community Strategy in so far as they facilitate public involvement in decision making. This is specifically addressed in the national indicator NI 4.
Efficiency	No additional staff resources are required for the implementation of the Standards Committee work programme.

MAIN REPORT

Information and Analysis

7. The Standards Committee has presented the Annual Report to Council since 2008. In that year the role of the Standards Committee increased, as it took on responsibility for the local assessment of complaints which had transferred from the Standards Board for England to each relevant local authority Standards Committee. The Annual Report was considered to be an important way of getting greater visibility for the role of the Committee.
8. While there is no legal requirement for the Standards Committees to write an Annual Report, it is recognised as good practice. The Annual Report is intended to be a review of the work of the Committee in 2010. It also sets out the programme of work that the Committee intends to undertake in 2011 and provides details of particular issues and developments that are likely to arise in 2011. It helps the Authority to monitor the work of the Committee and is also a useful method of communicating and highlighting the work of the Standards Committee to Members and the public.

Annual Report

9. The report reviews the work of the Standards Committee in 2010. There are two main aspects to the work of the Committee. The first involves dealing with complaints received about alleged breaches of the Code of Conduct. The second main role relates to helping facilitate better awareness of standards issues and encouraging high standards of ethical conduct.
10. Members will be aware that all Member conduct complaints are initially assessed by the Assessments Sub-Committee who must decide whether the complaint should be investigated. The complainant has a right of review to a different Sub-Committee if they are unhappy with the outcome at the Assessment Sub-Committee. If the complaint is referred for investigation an officer will be appointed by the Monitoring Officer to investigate the complaint and if there is substance to the complaint it proceeds to a formal hearing by a Panel of the Standards Committee.
11. In 2010, the Assessment Sub Committee received 5 complaints that Members had broken the Code of Conduct. This was a slight reduction on the 2009 figure of 7 complaints. Of the 5 complaints received, 3 were not found to disclose any potential breach of the Code of Conduct and were not referred for investigation. Of the 2 complaints that were referred for investigation, one resulted in a finding of no breach or failure by the Parish Councillor concerned. The other complaint, which is also against a Parish Councillor has been investigated but has yet to be heard.
12. Apart from dealing with complaints the other main area of the work carried out by the Standards Committee has involved helping facilitate better awareness of standards issues and encouraging high standards of ethical conduct. The Committee has done this in a number of ways. The website has been kept up to date and sets out a range of information about the work of the Committee and gives details of the complaints handling role of the Committee. A newsletter 'Raising the Standard' was published and circulated to Members in May 2010. In the summer of 2010 the Committee held one of its meetings at Darlington College, which was well attended by students.

13. The year 2010 was also a year of portent, with an indication of significant change to come. In May 2010, following the election, the Queens Speech made reference to radical reforms to member conduct, including the proposed abolition of the Standards Board for England.
14. On the 13 December 2010 the Localism Bill was presented to Parliament. The Bill sets out proposals to abolish the Standards Board for England (which is currently anticipated to happen in early 2012). Local authorities will continue to have a duty to promote and maintain high standards of conduct by Members and co-opted Members, but will not be legally required to have a Standards Committee. The register of Member interests will continue and it will become a criminal offence to fail to register or declare an interest, or for deliberately misleading the public about an interest. However, the current requirement on local authorities to adopt a Code of Conduct for Members will cease and it will be a matter of local choice for each local authority to decide whether or not to have a Code of Conduct and if so, what it should include. The Localism Bill will move through Parliament during 2011 and is likely to become law by the end of the year, with implementation most likely in 2012.
15. Clearly these are very significant changes, the Committee has followed and kept apprised of developments. The impact of the proposals to abolish the Standards Board for England has already been felt as in the latter part of 2010 they scaled back their activities. The Localism Bill is likely to significantly impact of the work undertaken by the Committee in 2011.

Going Forward

16. The Annual Report sets out a work programme for 2011.
17. Against the back drop of the changes proposed by the Localism Bill, some of the work of the Committee during 2011 will continue unchanged. The Committee will continue to deal with the local assessment and determination of complaints, to adequately publicise its role and to ensure that matters relating to ethics and standards continue to receive appropriate attention. The Committee will also continue to promote better awareness of standards issues and encouraging high standards of ethical conduct.
18. However, undeniably 2011 will be a year of preparation for change. The Committee will need to be involved in dealing with the detailed and background work that will be required in order for the Council and for Members to be able to be ready for the Localism Bill when it comes into force. The Committee will also need to be involved in ensuring that the public are kept informed of the developments.

Outcome of Consultation

19. The draft report was presented to the Standards Committee at its meeting on 17 January 2011 and a revised draft was submitted to the Committee on 21 March 2011 for approval. The report is attached at **Appendix 1** to this report.