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**SUMMARY REPORT**

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**MEMBERSHIP OF THE STANDARDS COMMITTEE**

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**Responsible Cabinet Member - Councillor John Williams, Leader**

**Responsible Director - Paul Wildsmith, Director of Corporate Services**

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**Purpose of the Report**

1. The purpose of this report is to ask Members to approve an increase in the membership of the Standards Committee Parish Council Members.

**Summary**

2. The Local Government and Public Involvement in Health Act 2007 has given Standards Committees the role of undertaking the initial assessment of misconduct allegations in place of the Standards Board for England.

**Recommendation**

3. It is recommended that Members approve an increase in the number of Parish Council Members of the Standards Committee by an additional Member giving a total Parish Council Membership of 3 Members on the Standards Committee.

**Reason**

4. The recommendation is supported to enable the Standards Committee to discharge the initial assessment and review functions that it has taken on as a result of the implementation of the Local Government and Public Involvement in Health Act 2007

**Catherine Whitehead  
Borough Solicitor and Monitoring Officer**

**Background Papers**

The Standards Committee (England) Regulations 2008 – No.1085  
Guidance from the Standards Board ‘ Local Assessment of Complaints’

Luke Swinhoe : Extension 2055

S17 Crime and Disorder	There are no issues in relation to Crime and Disorder.
Health and Well Being	There are no issues in relation to Health and Wellbeing.
Sustainability	There are no issues in relation to Sustainability
Diversity	There are no issues relating to Diversity which this report needs to address
Wards Affected	This report affects all wards equally.
Groups Affected	There is no impact on any particular group.
Budget and Policy Framework	This report does not recommend any change to the Budget or Policy Framework.
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly Placed	This report does not adversely impact on the Strategy

## Information and Analysis

1. The Standards Committee (England) Regulations 2008 were laid before Parliament on the 17 April 2008 and came into force on the 8 May 2008. The regulations set out in detail the way in which the local assessment function is to be discharged by Standards Committees.
2. Standards Committees are also required to take account Guidance published by the Standards Board. This Guidance entitled 'Local Assessment of Complaints' was published on the 2 May 2008.
3. Regulation 4 states that at least two members of the Standards Committee should be Members of Parish Councils in the area, who are not also Members of the responsible authority.
4. The Guidance issued by the Standards Board it states ' if the authority is responsible for any parish or town council there should be a minimum of three parish or town council representatives in the standards committee. This will ensure that there is a parish or town council representative available without a conflict of interest for the assessment and review sub committees.'
5. Further, if one of the Parish Council Members was from the same Parish Council as the Member complained of, then aside of whether they have a conflict of interest they may well feel that they are unable or unwilling to be involved in determining the matter. Allowance ought also be made for the unavailability of Parish Council Members because of holiday, illness or other reasons.
6. The Standards Committee have considered the Regulations and Guidance and recommend that the Parish Council Membership of the Standards Committee be increased from 2 to 3 Members.
7. The proposal is that the total number of Parish Council Members be increased to 3 Members. This will mean that the Membership of the Standards Committee will be 11, with 3 Independent Members, 5 Borough Council Members and 3 Parish Council Members.
8. It is proposed that Parish Councils be invited to make nominations for membership of the Standards Committee, which could then be determined by the Darlington Association of Parish Councils and Parish Meetings. The next meeting of this body will be on 17 June 2008. Council could then make the appointment on 17 July 2008.