

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Council
2.	Date:	12 <sup>th</sup> September 2012
3.	Title:	The Localism Act 2011 and the Standards Regime
4.	Directorate:	Resources

### 5. Summary

Cabinet and Council have previously endorsed the preparation of a revised Code of Conduct, the establishment of a new Standards Committee and other arrangements to support the standards regime introduced by the Localism Act 2011(the Act).

However a number of matters still need to be resolved before the new arrangements are fully implemented.

### 6. Recommendations

**That Council:-**

1. notes the new Code of Conduct as revised by the Monitoring Officer in consultation with the Leader, Deputy Leader and the Leader of the Opposition;
2. approves the nominations for the 8 seats for elected members on the Standards Committee.
3. approves the appointment of Mrs A Bingham, Mr I Daines, Mr P Elder, Dr G Musson and Ms J Porter as Independent Members of the Standards Committee, for a period of four years;
4. approves the appointment of Mr P Beavers as the interim Independent Person, pending the formal appointment of an Independent Person;
5. approves the paying of an allowance of £3,500 p.a. to the Chair of the Standards Committee and an allowance of £2,500 p.a. to the Vice Chair of the Committee,
6. approves the paying of travel and subsistence to the independent members of the Committee, in accordance with the Members' Allowances Scheme for Co-opted Members, and
7. approves the paying of an allowance of £710 p.a. (inclusive of travel and subsistence) to the Independent Person.

## **7. Proposals and Details**

### **Code of Conduct**

The Council delegated the revision of the Code to the Monitoring Officer, in consultation with the Leader, Deputy Leader and Leader of the Opposition. The new Code largely reflects the previous Code with the revisions to meet the requirements of the Act, in particular in respect of Disclosable Pecuniary Interests. All Members should note that the Code which was distributed to Members has had one further revision. This required the disclosure of any personal interest at a meeting. The finalised Code is attached at appendix 1 and is available on the website.

### **Standards Committee**

Council has approved the new Standards Committee, to be composed of 8 elected Members, three Parish Council representatives and five Independent Members (who are non-voting members). It is appropriate, to demonstrate the objectivity of the committee, that none of those nominations to be of Cabinet Members and for two of the nominations to be from the opposition group. Council is requested to approve the nominations.

At its first meeting the Committee will need to elect a Chair and Vice Chair, which will subsequently be ratified by Council.

In respect of the five Independent Members, five independent members of the previous Standards Committee have expressed an interest in continuing to sit upon the Committee. They are Mrs A Bingham, Mr I Daines, Mr P Elder, Dr G Musson and Ms J Porter. Whilst two other individuals have expressed an interest in the positions, it is felt appropriate to recognise the service to the Council already demonstrated by the previous Independent Members. Therefore it is recommended that these nominees are approved as Independent Members of the Standards Committee, for a term of four years.

### **Independent Person**

This is a statutory appointee whose role is to support the maintenance of high standards of ethical behaviour. A recruitment exercise in July was not successful and a further exercise is now being undertaken. In the meantime the Independent Person for Doncaster Borough Council (Mr P Beavers) has been approached and indicated his willingness to act as the Independent Person for the Council should any urgent matters arise. It is recommended that Council approve this arrangement, pending the formal appointment of an Independent Person.

### **Allowances**

The previous Chair of the Committee was paid an allowance of £3,500 p.a. and the Vice Chair £2,500 p.a. It is recommended that these allowances are approved for the Chair and Vice Chair of the new committee.

With respect to the independent members their role is no longer statutory. It is recommended that they do not receive an allowance but are paid for travel and subsistence, in accordance with that provided for Co-opted Members.

The Council has delegated the setting of the initial allowance for the Independent Person to the Monitoring Officer, in consultation with the Leader, Deputy Leader and the Leader of the Opposition. This has been set at £710 p.a. inclusive of travel and subsistence.

### **Parish Councils**

To date 16 Parish Councils have indicated that they wish to participate in the Council's Standards Committee. The Yorkshire Local Council's Association is to run the election to select 3 representatives to sit upon the Committee.

## **9. Risks and Uncertainties**

The establishment of the new arrangements will meet the requirements of the Act and minimise risk and uncertainty with regard to the ethical standards of elected members.

## **10. Policy and Performance Agenda Implications**

Having a Standards Committee and a Code of Conduct for members supports the objective of being an effective council and is a component of sound governance.

## **11. Background Papers and Consultation**

None

**Contact Name :** *Jacqueline Collins, Director of Legal and Democratic Services, telephone 01709 8255768 or e-mail [jacqueline.collins@rotherham.gov.uk](mailto:jacqueline.collins@rotherham.gov.uk)*