

**HERTFORDSHIRE COUNTY COUNCIL
TUESDAY 1 APRIL 2003 AT 10.30 A.M.**

ETHICAL STANDARDS ISSUES – UPDATE

Report of the Standards Committee

The Council appoints a Standards Committee which consists of:

- two County Councillors, currently John Metcalf and Stan Mills
- four independent members appointed following public advertisement. Currently these are Philip Aylett, who also Chairs the Committee, Christine Boseley, Roger Fletcher and David Sands.

The Standards Committee are responsible for:

- a) promoting and maintaining high standards of conduct by Councillors, co-opted members and church and parent governor representatives
- b) advising the Council on the adoption or revision of the Councillors' Code of Conduct
- c) assisting Councillors, co-opted members and church and parent governor representatives to observe the Code
- d) monitoring the operation of the Code
- e) advising training or arranging to train Councillors, co-opted members and church and parent governor representatives on matters relating to the Code
- f) granting dispensations from requirements relating to interests set out in the Code
- g) dealing with reports from a case tribunal, or from the Monitoring Officer on any matter referred by an ethical standards officer.

The Committee have power to report, with recommendations, to the Council or Executive at such times and in such a manner as they think fit.

At their last meeting in June 2002 they agreed that they would monitor the operation of the Code of Conduct by an annual report each February/March, with a view to reporting to the Council each April.

The Standards Committee have now conducted their first annual review and have also received reports on national and local standards issues.

1. Section 66 Regulations

The Government has power, under Section 66 of the Local Government Act 2000, to introduce Regulations which would allow the Standards Board (the national body which deals with complaints of misconduct by Councillors) to delegate the handling of less serious complaints to Standards Committees.

The Committee have commented on draft Regulations.

The Government have now decided to include provisions in the Local Government Bill currently before Parliament to deal with this issue and final Regulations are expected later in the year. It is likely that the Regulations will enable the County Secretary to investigate complaints and make a report to the Committee. The Committee would then hold a hearing and, if the allegation is proved, decide what sanction to impose.

2. Standards Board Investigations

The Standards Board website (www.standardsboard.co.uk) now includes a section which gives summaries of investigations, arranged alphabetically by name of authority. The section does not include any cases which have proceeded to an adjudication panel hearing. It is interesting to note that in several cases the Ethical Standards Officer who has investigated on behalf of the Board, has found the allegation proved, and would have referred the case to the Standards Committee for local determination if the necessary Section 66 Regulations had been in place; but because they are not, no further action has been possible.

3. Training

Two training sessions have now been run for members and co-opted/representative members. Following this, nine County Councillors and nine non-County Councillor member of the Children, Schools and Families Scrutiny Committee remain to be trained. A further training session will be arranged.

4. Declarations of Interest

Several members have updated their declaration of interests forms as a consequence of attendance at the training seminars.

At Council and Committee meetings since the Code was introduced there have been six declarations of interest (four personal where the member(s) stayed in the meeting, and two prejudicial where the member(s) withdrew.)

Advice has been given to individual members as and when requested. Otherwise, no particular issues of significance have emerged.

PHILIP AYLETT
Chairman
Standards Committee
14 February 2003