

STANDARDS COMMITTEE

7 APRIL 2010

APPOINTMENT OF NEW INDEPENDENT MEMBERS

Report from: Deborah Upton, Monitoring Officer

Summary

This report advises the Committee on progress in recruiting independent members of the Standards Committee.

1. Budget and Policy Framework

1.1 The Local Government Act 2000 requires every local authority to establish a Standards Committee and defines the general functions of such a Committee as being:

- promoting and maintaining high standards of conduct by the Members and co-opted members of the authority and
- assisting members and co-opted members of the authority to observe the authority's code of conduct.

1.2 The purpose, objectives and functions of the Council's Standards Committee are included in the Council's Constitution.

2. Background

2.1 There must be at least three people on the Standards Committee. It must include at least two members of the authority and at least one independent member. The Standards Committee (England) Regulations 2008 require the Council to ensure that at least 25% of the members of the Standards Committee are independent members. The Chairman of the Committee must be an independent member. Other provisions prescribe that no more than one member of the Cabinet can be appointed to the Standards Committee but this must not be the Leader of the Council. At least two members of the Committee must be members of parish councils for which Medway is responsible, who are not also members of Medway Council. The Parish representatives must sit on the Committee at all times when parish matters are being discussed.

2.2 The current composition and membership of Medway's Standards Committee is as follows:

Composition	Current members	Date of initial appointment
4 Medway Councillors	Councillor O'Brien Councillor Shaw Councillor Smith Councillor Burt	Medway Councillors are appointed each May for a one year term of office.
6 Independent Members	Michael Coulson Anthony Dance Janet Gray Alan Povey Sue Jenkins One vacancy	16 May 2001 12 May 2004 7 May 2008 16 May 2001 12 June 2008
3 Parish Council representatives	Councillor Buckwell Councillor Coomber Councillor Marsh	7 May 2008 15 May 2002 23 May 2006

- 2.3 SfE guidance recommends that independent members should be appointed to serve on the Committee for fixed periods of four years and that they should serve no longer than two terms.
- 2.4 Last year the Committee was advised that Mr Coulson and Mr Povey had served on Medway's Standards Committee for a period in excess of 8 years and would be standing down as soon as their replacements had been appointed.
- 2.5 The Monitoring Officer was authorised to undertake the recruitment of two new independent members. At the time the Committee was advised by the Monitoring Officer to recommend the Council to agree that five independent members should be appointed to the Standards Committee. However the Committee will need to consider the position in the light of the outcome of interviews conducted on 26 March.

3. Report

- 3.1 Independent members must be chosen in a fair and open way. The position has to be advertised in at least one local newspaper and in other similar publications or websites as considered appropriate. Independent members of the Standards Committee must not have been a member or employee of the Council within the previous five years and cannot be a member or officer of this or any other relevant authority. They must not be a relative or close friend of a Medway Councillor or employee of the Council and they must have applied for the appointment. The appointment has to be approved by the majority of members of the Council.
- 3.2 The Monitoring Officer has advertised for new members of the Standards Committee and interviewed short listed applicants on 26 March 2010.

3.3 In conducting the interviews the Monitoring Officer had regard to recent guidance published by SfE which highlights the attributes and skills expected of an independent member as follows:

- a keen interest in standards in public life
- a wish to serve the local community and uphold local democracy
- high standards of personal integrity
- the ability to be objective, independent and impartial
- sound decision-making skills
- questioning skills
- leadership qualities
- the ability to chair meetings

3.4 The outcome of the interviews on 26 March will be reported to the Committee on 7 April. The recommendation that the number of independent members on the Committee should be reduced from six to five and the formal appointment of any suitable candidates to serve as independent members of the Standards Committee will be reported for approval to the next Council meeting on 15 April 2010.

4. Risk Management

4.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community. The recruitment of new independent members to replace two long serving members of the Committee will ensure the Council is complying with SfE guidance.

5 Financial and legal implications

5.1 The cost of the recruitment exercise has been met from within existing budgets.

5.2 The composition and membership of the Standards Committee has to comply with the provisions of the Local Government Act 2000 and the Standards Committee (England) Regulations 2008.

6. Recommendations

6.1 The Committee is asked to note the outcome of the recent recruitment exercise for new Independent members of the Standards Committee and to forward recommendations to the Council meeting on 15 April 2010 and

6.2 To formally place on record its thanks to Mr Coulson and Mr Povey for their valued contribution to the work of the Committee since 2001.

Lead officer contact

Deborah Upton, Monitoring Officer Tel: 01634 332133

E-mail: deborah.upton@medway.gov.uk

Background papers

The role and make-up of Standards Committees – guidance published by The Standards Board for England.