



City of Westminster Standards Committee

Date: 15th November 2010
Classification: General Release
Title: Future of the Standards Regime
Report of: Head of Legal and Democratic Services
Wards Involved: All
Policy Context: High Ethical Standards
Financial Summary: There are no financial implications arising
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1. Executive Summary

This report sets out the Government’s proposals revealed to date with regard to the future of the local government standards regime, to be outlined fully in the forthcoming Localism Bill.

2. Recommendations

That the Committee note the content of the report.

3. Background

3.1 In May of this year the Coalition Government published its Programme for Government 2010. This included preliminary details contained within the forthcoming Localism Bill to abolish the Standards Board regime and Standards for England (the independent regulatory body for local government standards).

3.2 At its last meeting the Committee received a report outlining the proposals that would impact upon the standards regime, as far as was known at the time of writing. The Committee were asked to indicate its views on the proposals and resolved to delegate its response to the Head of Legal and Democratic Services in consultation with the Chairman, all Members of the Committee and Party Whips.

4. Current Situation

4.1 The full details of the Localism Bill have not yet been published, with the draft legislation expected to be presented to Parliament at the end of November. Since the last meeting, the following further proposals revealed in advance of the draft Bill have been announced:

- councils will no longer be required to have Standards Committees or a Code of Conduct for elected Members. However, contrary to a previous statement in which the latter was confirmed, the Secretary of State for Communities and Local Government, Eric Pickles MP, recently commented that there will be a Code of Conduct (see an extract from Hansard attached as appendix 1);
- the Localism Bill will legislate to make serious Councillor misconduct a criminal offence dealt with by the courts;
- a newly empowered Local Government Ombudsman will investigate public complaints on behalf the electorate; and
- local authorities will be legally compelled to implement the Ombudsman's findings.

4.2 There has not yet been any confirmation of a timeframe for the implementation of these new governance arrangements. However, the Department for Communities and Local Government Draft Structural Reform Plan sets a November 2011 deadline for passing the Bill. With this date in mind, it is expected that the above proposals will come into force in the first half of 2012.

5. Future Considerations

5.1 It is clear from the Government's initial proposals that the City Council's Standards Committee will not continue to exist, or at least operate, in its current form. Should the City Council wish to retain its Standards Committee, it

will not have the same role and responsibilities as it does now, nor will it be subject to the regulations and requirements laid down by Standards for England (which will be abolished in any event). The decision as to whether to have a Standards Committee, what form it might take, and even whether to have a Code of Conduct, are expected to be devolved to each local authority through provisions in the Localism Bill.

6. Conclusion

- 6.1 As suggested by the timeframe set out in 4.2 above, formal changes to the City Council's standards framework will not be required until the end of 2011, at the earliest. However, the City Council must begin to consider what future governance arrangements it will establish to maintain and self-regulate its existing high ethical standards.
- 6.2 The response to the consultation on the Bill will be progressed in accordance with the Committee's previous decision set out in paragraph 3.2 above.

If you have any queries about this report or wish to inspect any of the Background Papers, Please Contact Naomi Stauber
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Background Papers

- Standards Committee Report - Responses to Government Proposals Report, 13 July 2010

Extract from Hansard

21/10/10

Oral Answers to Questions
Communities and Local Government

Standards Board for England

7. Rehman Chishti (Gillingham and Rainham) (Con): What timetable he has set for the closure of the Standards Board for England. [18466]

The Secretary of State for Communities and Local Government (Mr Eric Pickles): The provisions will be in the localism Bill, and we will move as speedily as possible.

Rehman Chishti: What will replace the board and how will members of the public be able to hold their councils and councillors to account?

Mr Pickles: We have been in discussions with the Local Government Association and we will have a code of conduct, which seems to me to be a sensible way of doing that- [*Interruption.*] The right hon. Member for Greenwich and Woolwich (Mr Raynsford) seems to think that the boards have achieved something, but their only achievement has been to be petty, silly and pointless.

The latest example of that concerns a Green party councillor, Jason Kitcat, who placed unofficial video footage of a council meeting on his website. He has been referred to the board for not showing his council respect. With the joyous news of the Lady Thatcher's improving health, perhaps I could say to Councillor Kitcat: "YouTube if you want to."