

Title of report: Appointment to Standards Panel

Meeting: Audit and Governance Committee

Meeting date: Tuesday 11 June 2024

Report by: Head of Legal Services and Deputy Monitoring Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To appoint to the membership of the Standards Panel.

Recommendation(s)

In relation to the Standards Panel, the Committee:

- a) **Notes the appointment of the Chair of Audit & Governance,**
- b) **appoints Brian Jones (Chairman of Lea Parish Council) as the Parish Council representative under recommendation by HALC;**
- c) **Appoints two further Councillors as standing members; and**
- d) **Appoints two further Councillors as substitute members.**

Alternative options

1. There are no alternative options as a Standards Panel is a requirement of the Constitution.

Key considerations

2. The Council, under recommendation of the Monitoring Officer and Audit & Governance Committee (A&G), agreed to change the manner that decision making in respect to the Code of Conduct arrangements by officers was visible to members of the Standards Panel.
3. In practice, this means that all Decision Notices issued by the Monitoring Officer in response to a complaint that a member has breached the Code of Conduct will be shared with the Standards Panel. This is the case even if the matter progresses no further than the Initial Assessment stage or if the outcome is no breach or no further action. Previously, a 'dip sample' of decisions was reported to the Standards Panel some months after the decision was made.
4. This change means that the Standards Panel has a greater visibility and understanding of the work involved with the Code of Conduct arrangements, maintain oversight of decision making but also ensures that learning is shared between members.
5. This change requires that the membership of the Standards Panel is fixed so far as possible.
6. The voting members of the Standards Panel is the Chair of A&G and two further members of A&G. Two additional members of A&G are to be appointed as substitutes should any of the three voting members be unavailable.
7. The Standards Panel also includes two non-voting members. This requires the appointment of Brian Jones (Chairman of Lea Parish Council) who is a parish councillor on recommendation of HALC). The final non-voting member of a Standards Panel is the relevant independent person – in practice, in respect to a particular hearing this means one of the two independent persons who were consulted as part of the arrangements.
8. The recommendation requests that A&G makes the necessary appointments to the Standards Panel.

Community impact

9. The Localism Act 2011 requires that a principal authority maintains arrangements through which allegations of breaches of the Code of Conduct can be investigated. The arrangements include allegations made against parish/town and borough councillors. It is for the Council to determine the best way to discharge this requirement.

Environmental Impact

10. This decision has no direct impact on the environment

Equality duty

11. Under section 149 of the Equality Act 2010, a public authority must, in the exercise of its functions, have due regard to the need to –
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12. As this is a decision on the administration within the Council, we do not believe that it will have an impact on our equality duty.

Resource implications

13. There is not considered to be any resource implications.

Legal implications

14. Appointments to the Standards Panel is required under paragraph [2.8.22 to 2.8.27](#) of the Constitution. Paragraphs [3.5.16 to 3.5.22](#) provides further information on the operation of the Standards Panel.

Risk management

15. There are no specific risks

Consultees

16. None.

Appendices

None

Background papers

None

Report Reviewers Used for appraising this report:

Governance	Jen Preece	Date 14/05/2024
Finance	N/A	
Legal	Sean O'Connor	Date 13/05/2024
Communications	N/A	
Equality Duty	N/A	
Procurement	N/A	
Risk	N/A	

Approved by	Approved
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