

MEETING:	COUNCIL
DATE:	18 NOVEMBER 2011
TITLE OF REPORT:	CHAIRMAN AND VICE-CHAIRMAN OF THE STANDARDS COMMITTEE
REPORT BY:	ASSISTANT DIRECTOR LAW, GOVERNANCE & RESILIENCE

CLASSIFICATION: Open

Purpose

To consider the appointment of a Chairman and Vice-Chairman to the Standards Committee.

Recommendation

THAT Mr David Stevens be appointed Chairman and Mr Jake Bharier be appointed Vice-Chairman of the Standards Committee for the remainder of the current municipal year.

Key Points Summary

- On 31 July 2011 Mr Robert Rogers resigned as Chairman and Independent Member of the Standards Committee. Mr Rogers has been appointed as Clerk of the House of Commons and Chief Executive of the House Service and was no longer able to devote the necessary time to the Committee.
- Mr Rogers has chaired the Committee from its inception in early 2002 and has played a major role in assisting with the development and promotion of the Council's ethical standards framework since that time.
- Mr David Stevens, Vice-Chairman, is currently acting as Chairman. Council usually appoints the Chairman of the Standards Committee in accordance with Paragraph 4.1.5.2 (h) of the Constitution. Because the office of Chairman has become vacant during the current term, it is necessary for Council formally to appoint a Chairman now to ensure that the Committee continues to transact its business effectively.

Alternative Options

1. There are none.

Reasons for Recommendations

2. To provide the Standards Committee with continuity for the remainder of the municipal year.

Introduction and Background

3. The Standards Committee (England) Regulations 2008 stipulate that the Chairman of a Standards Committee must be an Independent Member. Standards Committees may also appoint an Independent Member to serve as Vice-Chairman at the discretion of a Local Authority.
4. At its meeting on 28 May 2010, Council agreed to make provision for a Vice-Chairman for the first time in the Committee's history in response to the Committee's increased level of activity. As well as acting in the Chairman's absence at meetings, the Vice-Chairman assists in matters which require the Chairman's input in the absence of the Chairman.

Key Considerations

5. Since the introduction of the local standards framework, the Committee has seen a significant increase in its workload. It was clear from the Committee's initial experiences of working with the local filter that further Independent Members were required, and the number of Independent Members was increased from two to four during 2008/2009. This reduced the possibility of statutorily required independent chairs being conflicted out of the various stages of the local filter process (assessment, review, consideration and hearing). It also enabled much greater flexibility in the process, and assured the public of continued transparency in what was proving to be a very demanding area.
6. On 24 July 2009, Council approved the Committee's recommendation to appoint two alternative local authority representatives, and two town and parish council representatives, in addition to the eight main Committee members. The alternative representatives serve as substitutes in instances when members are conflicted out of the various stages of the local filter process. They are not members of the Committee or its Sub-Committees except when they are substituting for members.
7. The Localism Bill was introduced to the House of Commons on 13 December 2010. It includes proposals to abolish Standards for England and introduce new legislation governing how local authorities handle complaints about members. It received its third reading in the House of Lords on 31 October, and is currently going through final stages before Royal Assent. Although the final wording of the Localism Bill with respect to Standards is still being resolved, it will undoubtedly have an impact on the local standards and ethics framework in Herefordshire and the way that complaints are handled. For the time being however, the existing framework is still in force, and the Standards Committee must continue with its business as usual. The Committee has received its highest volume of complaints in 2011, having assessed fifty-eight to date. It is therefore imperative to secure the roles of Chairman and Vice-Chairman so that the Committee can continue its business in the most effective manner.
8. The Committee currently has three serving Independent Members. There is still provision for four, although in view of the forthcoming changes proposed by the Localism Bill, it is deemed inexpedient to recruit a fourth member.
9. David Stevens has been an Independent Member of the Standards Committee since 2003, and has been Vice-Chairman since May 2010. He has been actively engaged at the request of Group Leaders in developing proposals for a new regime for members' standards, to succeed the current system once the Localism Bill is enacted. David lives in Hereford city, is married, has three grown up children and is now retired after working for many years with

Bulmers' Export Department. He was formerly Chairman of West Mercia Crimestoppers, Chairman of the Area Council of the Herefordshire Chamber of Commerce, and an Independent Member of the West Mercia Police Authority. He is also a member of the Herefordshire and Worcestershire Fire and Rescue Authority Standards Committee. David's long service on Standards Committees, and his experience as Vice-Chairman, make him well-suited to undertake the role of Chairman.

10. Jake Bharier was appointed as an Independent Member to the Standards Committee in May 2009. He has also been involved in developing proposals for a new standards regime. Until February this year he was Strategic Advisor to Skillshare International, an international development charity, and is a Trustee of two other charities: SOS Sahel International UK; and Responding to Conflict. For six years to 2010, he was Treasurer of CONCORD, the confederation of European international non-governmental development organisations, and on behalf of CONCORD. He also chairs the global consortium developing protocols on Civil Society development effectiveness under the OECD Accra Agenda for Action. In July this year, he was appointed Chair of the Herefordshire Third Sector Board. Jake is happy to serve the Committee as Vice-Chairman.

Financial Implications

11. None.

Legal Implications

12. Until such time as the relevant new legislation is passed, the current statutory framework remains operative and the Council has overall responsibility for appointing a Chairman, and may appoint a Vice-Chairman.

Risk Management

13. There is a need to ensure that the statutory framework is adhered to, and that the Committee continues to transact its business effectively.

Consultees

14. None.