

**MAIDSTONE BOROUGH COUNCIL**

**COUNCIL**

**21 SEPTEMBER 2011**

**REPORT OF THE STANDARDS COMMITTEE HELD ON  
25 AUGUST 2011**

**SELF REGULATION FOLLOWING ABOLITION OF THE  
STANDARDS REGIME**

The Committee considered the report of the Monitoring Officer outlining the implications of the provisions contained in the Decentralisation and Localism Bill in so far as they related to the ethical standards regime. A copy of the report is attached as an Appendix to this report. It was noted that the Bill was now at the Committee stage in the House of Lords and changes could still be made to the provisions.

During the ensuing discussion, reference was made to:-

- The likely public reaction to the anticipated abolition of the requirement to have a Code of Conduct.
- The need for some sort of Code of Conduct to guide and protect Members, but this would have to have the necessary teeth to enforce high standards.
- The need for a protocol for dealing with complaints of Member misconduct quickly, cost effectively and with less bureaucracy.
- The merits of retaining a small group of Members (including Parish and Independent Members) with the expertise and skills to look into complaints of Member misconduct as and when required.
- The implications for Parish Councils particularly in terms of whether to adopt a voluntary Code of Conduct and, if so, its contents; training; and dealing with complaints of Member misconduct.
- The possibility of the Borough Council offering a service to Parish Councils in relation to any future standards regime, and the cost implications.
- The arrangements for the recruitment and retention of Independent Members in the event of a voluntary Standards Committee being retained.

**RECOMMENDED:**

1. That following the abolition of Standards for England, the Model Code of Conduct and statutory Standards Committees:-
  - a) There should continue to be a Code of Conduct adopted by the Council to guide Members as to the standard of behaviour expected of them.
  - b) There should continue to be a Standards Committee comprising Borough, Parish and Independent Members to meet on an ad hoc basis as and when complaints are received or guidance sought from the Council on ethical issues.
  - c) The chairmanship of the new Standards Committee should be open to Borough, Parish and Independent Members, and not restricted to the Independent Members as at present.
  - d) Parish Councils should be offered a service in relation to any future standards regime, but the issue of payment be deferred for consideration at a later date.
2. That the Chairman of the Standards Committee and the Monitoring Officer be requested to report back to the Committee on 30 November 2011 (and subsequently to Council) with detailed proposals based on the above.