



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

GOVERNANCE, ETHICS AND STANDARDS COMMITTEE

1 JULY 2021

Report of the Director of Legal and Democratic Services

REVIEW OF STANDARDS REGIME

1. Purpose

- 1.1 To seek approval to set up a working group to review various aspects of the current standards regime.

2. Information and Analysis

- 2.1 The Localism Act 2011 made fundamental changes to the system of regulation of standards of conduct for elected and co-opted Councillors. The Act repealed certain provisions of the Local Government Act 2000, which provided the basis for the previous statutory standards regime, abolished standards for England and required the Council to introduce a new regime.
- 2.2 The current Derbyshire County Council standards regime is underpinned by:
- A Code of Conduct
 - Arrangements for dealing with complaints
 - 3 Independent Person positions
- 2.3 The regime approved in 2012 has continued unchanged and it is now prudent to review it to confirm that it remains fit for purpose.

2.4 On 19 January 2021, this Committee was informed of a new Model Code of Conduct published by the LGA in response to the Committee on Standards in Public Life report on Local Government Ethical Standards. The Committee agreed to establish a working group to review the current Code in accordance with the best practice recommendations of the CSPL and to consider whether the new model Code should be adopted by the Council.

2.5 It is proposed that an additional working group is set up to review the following aspects of the current regime and report back to Standards Committee.

- Standards Committee/Hearing Sub-Committee
- Arrangements for dealing with complaints
- Independent Persons

It is also proposed that the existing working group is asked to review the position regarding dispensations

2.6 It is therefore requested that the Committee identifies the composition of both working groups with a view to meetings being arranged to commence the reviews as soon as possible.

2.7 Officers will provide a briefing note and information pack in advance of the first working group meeting. The outcome of the reviews conducted by the working groups will be reported to a future Governance, Ethics and Standards Committee for consideration and approval.

3. Alternative Options Considered

3.1 Not to review the current Derbyshire County Council standards regime however this is not recommended as it does not give an assurance that the regime is fit for purpose.

4. Implications

4.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

5. Consultation

5.1 Not applicable.

6. Background Papers

6.1 None identified.

7. Appendices

7.1 Appendix 1 – Implications.

8. Recommendations

That Committee:

- a) agrees the composition of the working group to review the Code of Conduct identified at the previous meeting of this Committee and agrees to include a review of the position relating dispensations within its remit; and
- b)
- c) agrees to set up an additional working group to review various aspects of the current standards regime as set out in the report and approves the composition of the group.

9. Reasons for Recommendation(s)

9.1 To ensure that the Derbyshire County Council standards regime is reviewed and is fit for purpose.

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This report has been approved by the following officers:

On behalf of: Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)	Drafted by the Director
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Implications

Financial

1.1 None directly arising out of this report.

Legal

2.1 The Localism Act 2011 sets out the statutory framework for ethical standards and any recommendations from the working groups must comply with those statutory requirements.

Human Resources

3.1 None directly arising out of this report.

Information Technology

4.1 None directly arising out of this report.

Equalities Impact

5.1 None directly arising out of this report.

Corporate objectives and priorities for change

6.1 None directly arising out of this report.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None directly arising out of this report.