

**BABERGH DISTRICT COUNCIL**

**FROM:** The Monitoring Officer

**REPORT NUMBER**    **G127**

**TO:**            STANDARDS COMMITTEE

**DATE OF MEETING:** 9 November 2007

**TERM OF OFFICE OF CO-OPTED MEMBERS OF STANDARDS COMMITTEE**

1.    **PURPOSE OF REPORT**

For consideration to be given whether to extend the term of appointment of co-opted Members of the Standards Committee from two years to four years.

2.    **RECOMMENDED TO COUNCIL**

- 2.1    That the term of office for the four existing co-opted Members of Standards Committee be extended from two years to four years.
- 2.2    That subject to the needs or requirements of any joint Standards Committee established with other authorities, that future vacancies for co-opted Members of the Committee be advertised for a term of four years.

3.    **FINANCIAL IMPLICATIONS**

- 3.1    An extension of the terms of office would save the Council from incurring advertising costs and costs associated with recruitment and training.

4.    **RISK MANAGEMENT**

<b>Risk Description</b>	<b>Likelihood</b>	<b>Seriousness or Impact</b>	<b>Mitigation Measures</b>
Inability to attract suitable candidates upon expiry of current terms of office.	Medium	Critical	<ul style="list-style-type: none"><li>• Early and wide advertising of vacancies for Independent Members.</li><li>• Use of selection process through the Suffolk Association of Local Councils for parish/town council representatives.</li></ul>
Possibility of up to four new and inexperienced members of the Committee at a time when the role and responsibilities of Standards Committee is expanding.	Low	Significant	<ul style="list-style-type: none"><li>• Securing prompt training opportunities.</li><li>• Development of joint Committee arrangements with other Suffolk authorities.</li></ul>

## 5. **KEY INFORMATION**

- 5.1 The Committee is asked to consider whether the term of office for co-opted Members should be extended from two years to four years and if so, to make appropriate recommendation to Full Council. Consideration is required both to existing co-opted Members and future vacancies.
- 5.2 The Standards Committee comprises four Babergh elected Members and four co-opted Members. Of the co-opted Members, two are Parish/Town Council representatives and two are completely independent Members (i.e. lay Members). The two Parish/Town Council representatives and one of the independent Members were appointed for a term of two years commencing 1 March 2006. The second independent Member was recently appointed by Council for a two year term commencing 1 October 2007.
- 5.3 By law, at least 25% of the Standards Committee must be Independent Members who have not within the period of five years immediately preceding the date of appointment been a Member or Officer of the Council or any other Council nor a relative or close friend of such person. An Independent Member may not be appointed unless the vacancy has been advertised in one or more newspapers circulating in the Council's area and the person has submitted an application to the Council. It has therefore been necessary for the Council to advertise for Independent Members every two years. Experience has shown that it is difficult to attract suitable candidates to fulfil the Independent Member vacancies who fulfil the qualifying criteria and have sufficient degree of independence from the Council.
- 5.4 Whilst Parish/Town Council vacancies on the Standards Committee are not required to be advertised, the law does stipulate that at least one member of the Committee must be a member of a Town or Parish Council within the Council's area. Business concerning Parish/Town Council matters may not be conducted unless the Town/Parish Council representative is present at the meeting. On previous occasions the Suffolk Association of Local Councils has assisted the Council with the recruitment process. However, on the last occasion the Council only received two applications for two vacancies.
- 5.5 With the Local Government and Public Involvement in Health Bill due to be enacted, the Standards Committee is needing to prepare for a more expansive role with effect from 1 April 2008. At this time, all complaints concerning the conduct of Councillors (whether at District or Parish/Town Council level) will be referred to Standards Committees to consider whether they merit investigation. This process is referred to as the "local filter". This role is currently undertaken by the Standards Board for England which will instead be assuming a more strategic role. The Committee will additionally take responsibility for appeals against a finding not to refer a complaint to the Monitoring Officer for investigation whilst retaining its function in undertaking local hearings. The workload of the Committee will inevitably increase as the Committee assumes its new functions and there will be an increased need for experienced co-opted Members on the Committee. This need is escalated by statutory proposals that an Independent Member must take the Chair of the Standards Committee.
- 5.6 Appointment of co-opted Members for a term of four years would reduce the Council's costs in advertising and recruitment and safeguard against the loss of skills which are developed over many months. A four year term would also be commensurate with the term of office for elected Members.
- 5.7 For all of the reasons stated above it is recommended that the term of office for existing Members be increased from two to four years and subject to the joint Committee arrangements that may materialise following enactment of the new legislation, that all future posts are advertised for a four year term.

6. **APPENDICES**

None

7. **BACKGROUND PAPERS REFERRED TO:**

None

**CONTACT:** Kathryn Saward

**DIRECT LINE:** 01473 825729

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