



DERBY CITY COUNCIL

COUNCIL
23 NOVEMBER 2005

Report of the Director of Corporate Services and Monitoring Officer

Standards Committee and Independent Remuneration Panel – Membership Issues

RECOMMENDATION

1. The Standards Committee recommends the Council:
 - 1) To approve that the term of office of independent members of the Standards Committee be three years with members retiring on a rolling basis in accordance with the table below:

	First term of office ends at:		
	Annual Meeting in 2006	Annual Meeting in 2007	Annual Meeting in 2008
Mr G Bagga	X		
Canon R B Blowers		X	
Mrs C McDowall			X

- 2) To approve that independent members may serve up to a maximum of three terms of office.
- 3) To approve that an independent member shall cease to be a member if he/she fails to attend three consecutive meetings without a good reason.
- 4) To invite members of the Independent Remuneration Panel for Members' Allowances to commit themselves to follow the Seven Principles of Public Life set out in the report and to delegate to the Standards Committee the investigation and determination of any complaints of misconduct by Panel members.

SUPPORTING INFORMATION

- 2.1 At its meeting on 21 October 2005, the Standards Committee considered . . .
 - a) whether a term of office should be introduced for independent members of the Standards Committee
 - b) whether conditions should be attached to membership of the Independent Remuneration Panel for Members' Allowances relating to the conduct of members of that Panel.

Standards Committee – Terms of Office of Independent Members

- 2.2 At present, independent members of the Standards Committee do not have a term of office attached to their appointments. There is no statutory requirement for a term of office. The publication by the Standards Board for England “Guidance on Standards Committees – Local Authorities” (May 2002) contains the statement *“Your Council decides how long an independent representative should sit on the Committee. This should be long enough for them to gain an understanding of the committee, your council and its workings, but not so long that they lose their independence”*.
- 2.3 The Committee proposes that the term of office of independent members of the Standards Committee be three years with members retiring on a rolling basis. This is the system the Council has adopted for the Independent Remuneration Panel and is illustrated below:

	Retires Year 1	Retires Year 2	Retires Year 3
Independent Member 1	X		
Independent Member 2		X	
Independent Member 3			X

The advantage of this arrangement is that a degree of continuity will be maintained as the independent members will not all retire at the same time.

- 2.4 The Committee further proposes that an independent member . . .
- a) should serve up to a maximum of three terms of office
 - b) should cease to be a member if he/she fails to attend three consecutive meetings without a good reason.

Independent Remuneration Panel for Members’ Allowances

- 2.5 Unlike members of the Standards Committee, members of the Independent Remuneration Panel for Members’ Allowances are not required to sign an undertaking to comply with the Council’s Code of Conduct. Statutory Guidance issued by the Office of the Deputy Prime Minister states:

“Local authorities will wish to ensure that the terms and conditions of appointment of members of the independent remuneration panel include provision for circumstances where the local authority may wish to remove a discredited member from the panel. For example, a member of the panel may become discredited due to being found guilty of a criminal offence. The local authority will wish to ensure that the provision to change panel members is not itself abused for political or vexatious ends”.

- 2.6 The Standards Committee proposes that the Council invite Panel members to commit themselves to follow the Seven Principles of Public Life set out in Appendix 2. These Principles are recommended by the Committee on Standards in Public Life.

- 2.7 If an allegation were to be made that a Panel member had breached one of these Principles or otherwise brought the Council or his/her office into disrepute, the complaint would be investigated locally and determined by the Standards Committee along similar lines to the procedure followed for the local determination of cases involving Councillors. Such a procedure would not involve the Standards Board for England.

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Background papers:	None all published
List of appendices:	Appendix 1 – Implications Appendix 2 – The Seven Principles of Public Life

IMPLICATIONS

Financial

0. None

Legal

2. The requirements concerning Standards Committees and Independent Remuneration Panels are set out in the Local Government Act 2000, regulations and guidance.

Personnel

3. None

Equalities Impact

4. None

Corporate Themes and Priorities

5. One of the Council's Values is "We will be open, transparent and honest in everything we do".

The Seven Principles of Public Life

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.