



DERBY CITY COUNCIL

STANDARDS COMMITTEE 21 OCTOBER 2005

Report of the Director of Corporate Services

Standards Committee and Independent Remuneration Panel – Membership Issues

RECOMMENDATIONS

1. The Committee is asked to consider the issues set out in this report and decide whether to make any recommendations to the Council.

SUPPORTING INFORMATION

- 2.1 The Committee is asked to consider:
 - 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 Independent Members – Terms of Office

- 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 One possibility would be to have independent members serve for four years, the same period as councillors. Appointments could be renewable but, given the Standards Board Guidance, it could be agreed that independent members should not normally serve for more than two terms.

An alternative would be for the term of office of independent members of the Standards Committee to 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 would be maintained as the independent members would not all retire at the same time.

Independent Remuneration Panel for Members' Allowances

- 2.4 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".

- 2.5 One way of doing this would be to 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.
- 2.6 If an allegation were to be made that a Panel member had breached one of these Principles and thereby brought the Council or his/her office into disrepute, the complaint could 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.

For more information contact:	Steve Dunning 01332 255462 email steve.dunning@derby.gov.uk
Background papers:	None – all published
List of appendices:	Appendix 1 – Implications Appendix 2 – The Seven Principles of Public Life

IMPLICATIONS

Financial

1. 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 objectives and priorities for change

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.