

TYNE AND WEAR FIRE AND RESCUE AUTHORITY**MEETING: 21 MARCH 2011**

SUBJECT: REVIEW OF THE STANDARDS REGIME**REPORT OF THE CLERK TO THE AUTHORITY**

1. Members will recall receiving a report at the meeting of the committee held on the 27th September 2010 regarding the Government's proposal to abolish the Standards Board regime. The purpose of this report is to provide a brief update to the Committee with regard to the proposals.
2. Provision is included in the Localism Bill to abolish Standards for England, the requirement for authorities to have Standards Committees and the National Code of Conduct.

As currently drafted, in place of the Standards Board regime, the Bill provides that authorities will have a duty to promote and maintain high standards of conduct by Members and will be able to establish their own voluntary codes of conduct. Where an authority adopts a Code of Conduct, it may investigate any complaint that it has been breached, however, at present, there are no protocols or guidance on how to go about this. If an authority does not adopt a code of conduct, there is no provision in the Bill for allowing an investigation of complaints about Member conduct which would suggest that in the absence of a Code, the only way of sanctioning poor behaviour would be through the criminal law, where possible, or appeals to the Ombudsman.

3. There is also provision to the effect that regulations may require monitoring officers to establish and maintain a register of interests, specify those interests which must be registered and disclosed by members, prevent or restrict members' participation in business if they have an interest, allow for authorities to provide for dispensations and provide for sanctions. The Bill proposes a new offence of non-compliance with the registration regulations, which could result in a fine or disqualification. Prosecutions must be brought by or on behalf of the Director of Public Prosecutions.
4. Members will be advised of further developments as the Bill progresses through Parliament and any further detail becomes available as to any proposed regulations and guidance.

Recommendation

That the Committee notes this report.

Background Paper

Localism Bill

