

# Annual Report of the Standards Committee

## Report of the Standards Committee

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### 1 Purpose of Report

This report advises of the work carried out by the Fire Authority's Standards Committee from 1 April 2009 to date.

### 2 Recommendations

The Fire Authority is asked to note the report.

### 3 Background

The Standards Committee (the Committee) provides an Annual Report of its activities to the Fire Authority and this appears as an action for December 2010 in the Authority's Work Plan. This is the second Annual Report, which sets out the work carried out by the Committee from 1 April 2009 to date.

### 4 Constitution and Meetings

The constitution of the Committee was last reviewed at the Annual Meeting of the Fire Authority in July 2010 (following a review by the Committee itself), when no changes were proposed. The Role Descriptions for the Committee Chair, Vice-Chair and Non-Elected, Independent Members of the Committee were also reviewed at that time, when some minor amendments were agreed, as a result of recommendations made by the Committee.

The Chair and Vice-Chair of the Committee are non-elected, Independent Members, Mr Michael Tebbutt and Mr Paul Brereton respectively.

During the period 1 April 2009 to date the Committee met four times: in June and October 2009 and March and July 2010. Two meetings were cancelled because of lack of business.

## 5 Role of the Committee

The principal role of the Committee is to promote and maintain a high standard of conduct by Members, to oversee the Register of Members' Interests and to oversee the effectiveness of the Authority's procedures for investigating and responding to complaints about Members.

The full terms of reference of the Committee can be found in Section 3 of the Members' Handbook or on the Fire Authority's website at:

<http://www.shropshirefire.gov.uk/managing-the-service/fra/members-handbook/section3>

For ease of reference this report splits the work carried out by the Committee into four main areas:

- Register of Members' Interests;
- Complaints, Investigations and Determinations;
- Miscellaneous Protocols and Procedures; and
- Training and Promoting Standards.

## 6 Register of Members' Interests

Under the Code of Conduct adopted by the Fire Authority in August 2007, all Members are required to register their financial interests with the Fire Authority. They are also required to provide written notification of any changes to those interests within 28 days of becoming aware of the changes.

Members are not required to complete a fresh Register of Interests annually but the Committee has taken the view that it is good practice for all Members, including non-elected, Independent Members of the Committee itself, to be prompted annually in an attempt to ensure that the Register of Interests is kept up-to-date.

The most recent review of the Register of Interests took place in March 2010, during which all Members were asked to review their register entry. As part of this exercise they are required either to confirm in writing that the details held are correct and that no amendments are required or to advise of any changes.

## 7 Complaints, Investigations and Determinations

From May 2008, in accordance with the new framework set up by the then Government, any Code of Conduct complaints made about Fire Authority Members were to be dealt with by the Fire Authority's Standards Committee, rather than by Standards for England.

During the period April 2009 to date no complaints relating to breach of the Code of Conduct by Fire Authority Members were received. The Committee has, however, reviewed the processes and procedures, which it has in place to deal with any complaints, to ensure that they are up-to-date and workable.

## **8 Miscellaneous Protocols and Procedures**

Having reviewed its Protocols on Gifts and Hospitality for Members and on Member / Officer Relations, the Committee recommended a number of amendments to the Fire Authority in order to bring them up-to-date and provide greater clarity. These were agreed by the Fire Authority.

The Committee has also updated the procedure for making dispensation applications to ensure compliance with the latest legislation.

## **9 Training and Promoting Standards**

The following training sessions relating to standards have been carried out since April 2009:

- Non-elected Independent Member training – October 2010
- Code of Conduct Training – February 2010

In accordance with a request from the Committee the bulletins, issued by Standards for England in 2009 and 2010, were considered by the Committee and also forwarded to all Members of the Fire Authority. The bulletins contained information, such as guidance on standards committee procedure and updates about complaints.

Local Ethical Standards bulletins, compiled by officers quarterly, were also forwarded to all Members of the Fire Authority. It was decided during 2010, however, that these bulletins would cease.

## **10 The Future of the Standards Committee**

As Members are aware, the coalition Government has announced its intention to 'abolish the Standards Board regime'. The Government will, however, need to introduce primary legislation in order for this to happen and, until it does so, the current framework for dealing with alleged breaches of the Code of Conduct remains in place. Should any complaints arise in the meantime the Fire Authority has the up-to-date processes and procedures to deal with them. Complainants will, however, be asked to consider whether any issues they have raised might be resolved more efficiently through a less formal route.

In light of the Government's intention, at the request of the Chair and Vice-Chair of the Fire Authority, the recruitment of two, non-elected, Independent Members of the Standards Committee (to bring it up to its full complement) has been put on hold. Furthermore, no Standards Committee meetings have been scheduled for 2011.

Depending on the Government's intention regarding the standards regime, the Fire Authority may need to consider whether it is necessary to continue in the future with a stand-alone Standards Committee or whether any of its remaining responsibilities might be subsumed into another of the Authority's committees.

Officers are keeping a watching brief on this issue and will bring reports to the Fire Authority of any developments as they arise.

## 11 Financial Implications

There are no financial implications arising from this report.

## 12 Legal Comment

The work of the Standards Committee should always comply with the Local Government Act 2000 (as amended) and associated legislation. There must also be consideration given to guidance issued by Standards for England. This is reflected in the updated Standards Committee procedures referred to in this report.

At present officers are awaiting legislative changes which will effect the ethical framework. It is expected that these changes will come into force next year and will significantly change both the Code of Conduct and the process for dealing with misconduct. Officers do not know specifically what changes will be made but will keep Fire Authority Members up to date with developments.

## 13 Equality Impact Assessment

This report is purely an update on the work of the Committee for the period April 2009 to date and it, therefore, has no impact on people. Accordingly, an Equality Impact Assessment has not been completed.

## 14 Appendices

There are no appendices attached to this report.

## 15 Background Papers

There are no background papers associated with this report.

Implications of all of the following have been considered and, where they are significant (i.e. marked with an asterisk), the implications are detailed within the report itself.

Business Continuity Planning		Member Involvement	*
Capacity		National Framework	
Civil Contingencies Act		Operational Assurance	
Efficiency Savings		Public Value	
Environmental		Retained	
Financial		Risk and Insurance	
Fire Control/Fire Link		Staff	
Information Communications and Technology		Strategic Planning	
Freedom of Information / Data Protection / Environmental Information		Equality Impact Assessment	*
Legal	*		

