
REPORT TO:	COUNCIL	AGENDA ITEM:
DATE OF MEETING:	7TH APRIL 2005	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ANDREA McCASKIE HEAD OF LEGAL & DEMOCRATIC SERVICES (EXT. 5831)	DOC:U:\JAYNE\Commtee\COM MREPIStandardsMembers.doc
SUBJECT:	APPOINTMENTS – INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE	REF: AGM/JB
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 To agree to appoint 3 Independent Members to the Council's Standards Committee.
- 1.2 To agree the advertisement, Overview of role and person specification for the appointment of 3 Independent Members as set out in the appendices to this report.
- 1.3 To delegate to the Chief Executive the power to shortlist and interview applicants for the 3 positions of Independent Members to the Standards Committee.
- 1.4 To bring a further report to Council recommending the appointment of 3 Independent Members to the Council's Standards Committee.

2.0 Purpose of Report

- 2.1 The Local Government Act 2000 required South Derbyshire District Council to establish a Standards Committee with at least 25% of Members being Independent Members. South Derbyshire District Council's Standards Committee is composed currently of 8 Members:-
 - (a) 3 Councillors, including the Chair of the Council, being two Members from the majority party and one Member from the minority party (District Council Members).
 - (b) 3 people who are not Councillors or Officers of the Council or on any other body having a Standards Committee, one of which will be the Chair of the Committee (Independent Members).
 - (c) 2 Members of Parish Councils wholly or mainly in the Council's District (Parish Members).

- 2.2 On 21st June 2001, Full Council appointed 3 Independent Members to the Council's Standards Committee for a period of 4 years.
- 2.3 The Independent Members' terms of office will end on 21st June 2005. It is, therefore, necessary to advertise in at least one or more newspapers circulating in the area of the Authority for 3 Independent Members to sit on the Standards Committee.
- 2.4 The proposed advertisement, Overview of role and person specification are attached at Annexes 'A' to 'C' respectively.
- 2.5 It is proposed that the Chief Executive Officer be authorised to carry out the shortlisting and undertake interviews with those applicants who meet both the legal eligibility criteria and the essential skills, knowledge and experience that will be assessed from their applications, as identified in the person specification.
- 2.6 The shortlisting and interview panel will comprise of the Chief Executive Officer, Head of Legal & Democratic Services and Head of Human Resources. Although the successful candidates will not become employees of the Council, it is considered best practice for the advertisement, shortlisting and interviews of candidates to be completed in line with the Council's Recruitment and Selection Procedure and Equal Opportunities Policy.
- 2.7 Following the interview, a provisional offer to the successful candidates will be made, explaining that the offer is subject to approval by Full Council.
- 2.8 A further report will then be brought to Full Council, providing details of the provisional successful candidates. At this stage, Members will be able to raise any objections to the decision-taking. If no objections are raised or the Chief Executive Officer considers that they are not material or well founded, the appointments will be confirmed. If an objection is considered to be material and well founded, then this will be further discussed with the interview panel and a decision will be taken on whether the appointment can continue.
- 2.9 It is a legal requirement that a person may not be appointed as an Independent Member of a Standards Committee unless the appointment is:-
- (a) approved by a majority of the Members of the Authority;
 - (b) advertised in one or more newspapers circulating in the area of the Authority;
 - (c) of a person who has submitted an application to the Authority;
 - (d) of a person who has not within the period of 5 years immediately preceding the date of the appointment been a Member or Officer of the Authority; and
 - (e) of a person who is not a relative or close friend of a Member or Officer of the Authority

3.0 Financial Implications

- 3.1 The successful candidates would be appointed for a period of 4 years and would be entitled to reimbursement of a Travel Allowance and Dependent/Childcare Allowance in appropriate cases.

3.2 Full Council accepted the recommendation of the Independent Remuneration Panel that a Special Responsibility Allowance was paid to the Chair of the Standards Committee, which must be an Independent Member, which is currently £1,644 for the period 2004/05. It is proposed in a further report on this agenda that this will raise to £1,692 for the period 2005/06.

3.3 There is also a Co-optee Allowance of £258 for the period 2004/05 in recognition of the important and responsible role played by co-opted Members which includes those Independent Members who are not appointed as Chair of the Standards Committee. It is proposed in a further report on this agenda that this will raise to £267 for the period 2005/06.

4.0 Corporate Implications

4.1 It is a statutory requirement to establish a Standards Committee. Where the Standards Committee have more than 3 Members, at least 25% must be Independent Members. A meeting of the Standards Committee is not quorate unless at least 3 Members (including at least one Independent Member) of that Committee are present for its duration. It is, therefore, imperative to enable the Standards Committee to carry out its functions that at least 2 Independent Members are appointed from June 2005 to sit on the Standards Committee.

5.0 Community Implications

5.1 The Council's Standards Committee plays a vital role in promoting and maintaining the highest standards of conduct by Councillors of South Derbyshire District Council and all the Parishes in its area.

6.0 Background Papers

6.1 None

SOUTH DERBYSHIRE DISTRICT COUNCIL

Do you want to make an active contribution to standards in public life in South Derbyshire ?

South Derbyshire District Council's Standards Committee plays a vital role in promoting and maintaining the highest standards of conduct by Members of South Derbyshire District Council and all the Parishes in its area.

We are looking for 3 Independent Members who will be appointed for a four year period to sit on our Standards Committee. The Chair of the Committee is an independent, non-elected Member. As well as their other duties, the Chair and two other Members of the Committee form the Sub-Committee to deal with complaints about Members' misconduct.

There is an allowance of £267 per annum. This increases to £1,692 for the Chair of the Committee. Travel and Dependant/Childcare Allowance are also payable in appropriate cases.

To be eligible for this role, you must not be a member of any political party, or have been a South Derbyshire District Council Member or Officer during the last five years, or be a relative or close friend of a South Derbyshire District Council Member or Officer. You must live or work in South Derbyshire and have some knowledge of Local Government. Most importantly, you must have a commitment to high standards of behaviour in all aspects of public and private life.

Meetings are held at the Council Offices in Swadlincote, normally late afternoon or evening, and about four times a year.

If you feel you have the experience, personal skills and qualities required, further details and application forms are available from:-

Customer Services,
South Derbyshire District Council,
Civic Offices,
Civic Way,
Swadlincote,
Derbyshire. DE11 OAH

Tel: 01283 595707

or log on to the Council's website – www.south-derbys.gov.uk

**The closing date for the return of completed application forms is
May 2005**

Should you wish to have an informal discussion about the role of Independent Members, please contact Andrea McCaskie, Head of Legal & Democratic Services on (01283) 595831 or andrea.mccaskie@south-derbys.gov.uk

SOUTH DERBYSHIRE DISTRICT COUNCIL

OVERVIEW OF ROLE

POSITION: INDEPENDENT (NON-AUTHORITY) MEMBER – STANDARDS COMMITTEE

DURATION: 4 years (from June 2005)

SUMMARY

To be a Member of the Standards Committee to promote and maintain high standards of conduct within the District Council and the Parish Councils within South Derbyshire.

MAIN DUTIES AND RESPONSIBILITIES

1. To promote and maintain high standards of conduct by the Members and co-opted Members of the Council.
2. To assist the Members and co-opted Members to observe the Council's Code of Conduct.
3. To advise the District Council on the adoption or revision of the Members' Code of Conduct and any other Codes and Protocols, as necessary.
4. To monitor the operation of the Members' Code of Conduct at District level and provide guidance on compliance.
5. To advise on training for Members and co-opted Members on issues relating to ethical standards and the Members' Code of Conduct.
6. To grant dispensations from requirements relating to interests set out in the Members' Code of Conduct.
7. To deal with any reports from a case tribunal or interim case tribunal and any reports from the Monitoring Officer on breaches of the Members' Code of Conduct which may be referred by an Ethical Standards Officer of the Standards Board for England.
8. To monitor the operation of the Council's Whistleblowing Procedure.
9. To deal with any reports from the Monitoring Officer or the Director of Corporate Services on matters relating to probity issues.
10. To exercise 1-7 above in relation to the Parish Councils within South Derbyshire and the Members of these Parish Councils.
11. Such other duties and responsibilities as the Council may require consistent with the role of a Member of a Standards Committee

Dated: April 2005

ALLOWANCES

A Co-optee Allowance of £258 per annum is payable, which increases to £1,644 for the Independent Member who is appointed as Chair of the Standards Committee

Travel Allowance will be reimbursed and Dependant/Childcare Allowances are also payable in appropriate cases

Dated: April 2005

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