

**AGENDA ITEM:**

<b>REPORT TO:</b>	<b>MERSEYSIDE FIRE &amp; RESCUE AUTHORITY</b>
<b>DATE:</b>	<b>THURSDAY 17<sup>TH</sup> MAY 2012</b>
<b>REPORT NO.</b>	<b>CFO/039/12</b>
<b>REPORTING OFFICER:</b>	<b>DIRECTOR OF LEGAL, PROCUREMENT AND DEMOCRATIC SERVICES</b>
<b>CONTACT OFFICER:</b>	<b>JANET HENSHAW EXT - 4301</b>
<b>OFFICERS CONSULTED:</b>	<b>HELEN PEEK, DEMOCRATIC SERVICES MANAGER</b>
<b>SUBJECT:</b>	<b>IMPLICATIONS OF THE LOCALISM ACT 2011 IN RELATION TO STANDARDS COMMITTEES</b>

**THERE ARE NO APPENDICES TO THIS REPORT**

Purpose of Report

1. To request that Members consider implications of the Localism Act 2011 in relation to Standards Committees and approve whichever option they wish to take.

Recommendation

2. That Members;
  - a) Note the implications of the Localism Act 2011 for Standards regimes and
  - b) Approve one of the options set out in paragraph 5 of this report or any other option they wish to pursue.

Introduction & Background

3. Members will recall that a report regarding the implications of the Localism Act 2011 was noted at the Authority meeting of 19 January 2012.
4. One such implication was the demise of standards committees as required under the Local Government Act 2000 and authorities have a choice as to whether they wish to maintain current arrangements or to change them in the light of:
  - (a) a general duty to promote and maintain high standards of conduct by members and co opted members of the Authority and
  - (b) a duty to have a Code of Conduct which is consistent with the Nolan Principles and

- (c) a duty to make arrangements under which allegations about breaches of a Code of Conduct can be investigated and decisions about such allegations made. These arrangements must include provision for the appointment of at least one independent Member whose views must be sought and taken into account before the Authority makes its decision about the matter under investigation.
5. That report contained a number of options regarding the ongoing governance arrangements in respect of Standards Committees which were as follows:
    - (a) Continue with the present system of having a Standards Committee meeting on a regular basis with perhaps a smaller number of sub committees to look into complaints allegations as and when required, or
    - (b) Merge the above role of promotion and maintenance of standards with another Committee's work, for example the Audit and Value for Money Committee, with sub committees to investigate complaints allegations or
    - (c) Establish a standards (or other) committee to be set up as required to look into complaints allegations and any other standards issues, possibly with Membership of the three party leaders.
  6. Members considered these options and decided to adjourn the decision to a later meeting of the Authority when Members had had the opportunity to consider the options further.
  7. Members are now asked to approve one of these options or any other options they may wish to progress.

#### Equality & Diversity Implications

8. There are no direct Equality and Diversity implications contained in the report.

#### Staff Implications

9. There may be a reduced need for staffing resources at meetings depending upon the option chosen by Members.

#### Legal Implications

10. The Localism Act 2011 provisions in respect of the Standards regime will potentially come into force in July 2012 and therefore decisions in relation to these matters will need to be made before then as the Local Government Act 2000 provisions will then be abolished.

#### Financial Implications & Value for Money

11. There may be reduced costs in terms of resourcing standards committees depending upon the option approved by Members.

Risk Management, Health & Safety, and Environmental Implications

12. There may be environmental implications in respect of printing of paper depending upon the option approved by Members.

Contribution to Our Mission – To Achieve; Safer Stronger Communities – Safe Effective Firefighters”

13. The Nolan Principles and a Code of Conduct will ensure that standards are at the forefront in Merseyside Fire and Rescue Authority.