

Committee Report Control Sheet

SECTION A:

Committee/Sub-Committee **Standards Committee**

Date of Committee/SubCommittee: **1st October 2003**

Report: **Procedure for Local Determination of Allegations
about the Personal Conduct of Council Members**

Item No: **4**

SECTION B: Key Target Dates

Final Date for submission of draft to the Committee Team:

Submission of final report with APPENDICES for printing
by:

SECTION C:

Contact officer and Extn: **Christine Nuttall ext. 7245**

Attachments to report are:

NOTE: Sources of Information must be written at the end of the report

Originating Department: **Chief Executives**

Sources of Information:

Local Government Act 200

The Local Authorities (Code of Conduct) (Local Determination) Regulations 2003

The Standards Board for England "Standards Committee Determinations"

Draft word processed by and date: **Anna Gray - 25th September 2003**

Other Departments who should comment on draft report are:

Chief Executive		Leader	
Central Services Director		Deputy Leader 1	
Community Services Director		Deputy Leader 2	
Strategic Services Director		Chairman	
		Vice Chairman	

Report Edited by and Date:

Name:	Date:	Time:	Comments:
Sevenoaks District Council	25/09/03	04:56	
Sevenoaks District Council	29/09/03	02:02	
Sevenoaks District Council	29/09/03	02:04	

STANDARDS COMMITTEE

1ST OCTOBER 2003

PROCEDURE FOR LOCAL DETERMINATION OF ALLEGATIONS ABOUT THE PERSONAL CONDUCT OF COUNCIL MEMBERS

ITEM FOR DECISION

Procedure for Local Determination of Allegations about the Personal Conduct of Council Members

RECOMMENDATION

Members adopt the "Procedure for local determination of allegations about the personal conduct of Council Members" (the Procedure) as attached to this Report at Appendix 1

- (1) The Local Authorities (Code of Conduct)(Local Determination) Regulations 2003 came into force on the 30th June 2003 a copy of which is attached at Appendix 2.
- (2) Under the provisions of the Local Government Act 2000 ethical standards officers may carry out investigations into allegations that a member of the relevant authority has failed to comply with the authority's code of conduct.
- (3) The ethical standards officer (ESO) may choose to refer the matters under investigation and send the report on the outcome of his investigation to the monitoring officer of any authority concerned. The Regulations make provision in respect of the way such matters referred to the monitoring officers are to be dealt with.
- (4) This Council will shortly be receiving its first referral from an ESO whereby this Committee will be under a legal obligation to determine whether a Member has failed to follow the Authority's Code of Conduct and, if so, to decide whether or not any penalty should be applied and what form any penalty should take.
- (5) The Standards Committee must hold a hearing in relation to an allegation within three months of the Monitoring Officer receiving the ESO's report.
- (6) It is therefore necessary for this Council to adopt a procedure for local determination of allegations about the personal conduct of Council Members.
- (7) This Committee is asked to consider for adoption the Procedure set out at Appendix 1.
- (8) It may be necessary to amend the Procedure following its adoption once the Committee has had a chance to see how the Procedure works in practice.

ROBIN HALES
Chief Executive

ITEM NO. 4

Sources of Information

Local Government Act 2000

The Local Authorities (Code of Conduct)
(Local Determination) Regulations 2003

The Standards Board for England "Standards
Committee Determinations"

Contact Officer:

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