

**LOCAL AUTHORITIES (CODE OF CONDUCT)
(LOCAL DETERMINATIONS) REGULATIONS 2003
(Report by the Executive Director of Central Services
and Monitoring Officer)**

1. INTRODUCTION

- 1.1 At its last meeting, the Committee received a report describing the content of the Local Authorities (Code of Conduct) (Local Determinations) Regulations 2003 which came into force on 30th June 2003.
- 1.2 It was noted that guidance still was awaited from the Standards Board for England to assist the Committee in the application of the Regulation in practice. Further Regulations are anticipated from the Office of the Deputy Prime Minister which will provide a framework for Ethical Standards Officers to refer matters to Monitoring Officers.

2. GUIDANCE FOR MONITORING OFFICERS AND STANDARDS COMMITTEES

- 2.1 The Standards Board for England has now produced a new guidance booklet entitled "Standards Committee determinations" and a copy has been distributed to Members of the Committee. The guidance explains the local determination regulations and provides practical procedural information for Monitoring Officers and Standards Committees on how to consider cases referred by the Standards Board to local authorities for determination.
- 2.2 The Regulations state that local Standards Committees must have regard to this guidance and that whilst the model procedures are not compulsory, the District Council should ensure that any procedures adopted were consistent with the principles inherent in the guidance.
- 2.3 The booklet describes the main parts of the local determination process as follows and at this stage is presented to the Committee for information -
- ◆ referrals from an Ethical Standards Officer (ESO);
 - ◆ the pre-hearing process;
 - ◆ the Standards Committee hearing;
 - ◆ notice of findings; and
 - ◆ appeals to The Adjudication Panel for England.

3. RESOURCE IMPLICATIONS

- 3.1 The Standards Board has acknowledged that the Regulations now in force and those anticipated later in the year regarding the investigation locally of some complaints may well have resource implications for local authorities.

3.2 Insofar as the District Council is concerned and bearing in mind the difficulty in seeking to estimate the extent of any local references to the Standards Committee/Monitoring Officer, it is envisaged that such additional resources as may be required will be met from the contingency reserve.

4. CONCLUSION

4.1 Members are requested to receive and note the guidance for Monitoring Officers and Standards Committees issued by the Standards Board for England on local determination regulations and the proposal to fund any additional expenditure from the contingency reserve.

BACKGROUND PAPERS

Letter received from the Standards Board for England dated 7th August 2003.

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